

February 3, 2023

Katherine M. Hiner  
Acting Secretary  
U.S. International Trade Commission  
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Washington, DC 20436

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**Re: *Certain Compact Wallets and Components Thereof***  
**Inv. No. 337-TA-\_\_**

Dear Secretary Hiner:

Enclosed for filing on behalf of Complainant The Ridge Wallet LLC ("Complainant") against proposed Respondents (1) Rosemar Enterprise LLC d/b/a RossM Wallet ("RossM"); (2) Mosaic Brands, Inc. ("Mosaic") d/b/a Storus; (3) INSGG ("INSGG"); (4) Shenzhen Swztech Co., Ltd d/b/a SWZA ("SWZA"); and (5) Shenzhen Pincan Technology Co., Ltd. d/b/a ARW-Wallet ("ARW") (the "Proposed Respondents") are documents in support of Complainant's request that the Commission commence an investigation pursuant to Section 337 of the Tariff Act of 1930, as amended. A request for confidential treatment of Confidential Exhibits 6 - 8 is included with this letter.

1. One (1) electronic copy of the public complaint and public interest statement (19 CFR § 210.8(a)(2)(i));
2. One (1) electronic copy of any public exhibits (19 CFR §§ 210.8(a)(2)(i), 210.8(b));
3. One (1) electronic copy of the confidential complaint and public interest statement (19 CFR § 210.8(a)(2)(ii));
4. One (1) electronic copy of any confidential exhibits to the complaint, (19 CFR §§ 201.8(g), 210.8(a)(2)(ii), 210.8(b));
5. One (1) electronic copy of the certified U.S. Patent No. 10,791,808 (19 CFR § 210.12(c)(1)), included in the Complaint as Exhibit 21;

6. One (1) electronic copy of certified versions of the assignments for U.S. Patent No. 10,791,808, cited in the Complaint as Exhibit 22 (19 CFR §§ 210.8(a)(I)(iii) and 210.12(a)(9)(ii));
7. One (1) electronic copy of the certified prosecution history of U.S. Patent No. 10,791,808, included in the Complaint as Appendix A. (19 CFR § 210.12(c)(2)); (19 CFR § 210.12(c)(1)); and
8. One (1) electronic copy of the cited references identified in the prosecution history of U.S. Patent No. 10,791,808, listed as Appendix B in the Complaint, pursuant to Commission Rules 210.8(1)(i) and 210.12(c)(2).

Thank you for your attention to this matter. Please contact me if you have any questions.

Respectfully submitted,

*/s/ Benjamin E. Weed*

Benjamin E. Weed  
Partner

BEW

**UNITED STATES INTERNATIONAL TRADE COMMISSION  
WASHINGTON, D.C.**

In the Matter of

CERTAIN COMPACT WALLET AND  
COMPONENTS THEREOF

**Investigation No. 337-TA-\_\_\_\_\_**

**COMPLAINANT THE RIDGE WALLET LLC'S  
STATEMENT OF PUBLIC INTEREST**

Pursuant to 19 C.F.R. § 210.8(b), and in support of its concurrently filed Complaint, Complainant The Ridge Wallet LLC (“Ridge”) submits this statement on the public interest. This proceeding involves the importation, sale for importation, and sale after importation of compact wallets and components thereof. Such unlawful conduct is being carried out by the Proposed Respondents (and possibly others), to the severe detriment of Ridge, Ridge’s domestic investments, and other valuable U.S. interests.

The requested remedial orders are not contrary to the public interest. In fact, this is precisely the type of case that Congress contemplated in enacting Section 337, where (a) there is a bona fide, genuinely American company developing innovative, proprietary articles in the United States, and (b) it would be difficult to remedy the unfair acts in a district court due to, *inter alia*, jurisdictional issues and logistical challenges with foreign discovery and enforcement of domestic judgments in foreign jurisdictions.<sup>1</sup>

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<sup>1</sup> The Federal Circuit has explained that the *in rem* relief offered by the ITC “follows the long-standing principle that importation is treated differently than domestic activity.” *Spansion, Inc. v. U.S. Int’l Trade Comm’n*, 629 F.3d 1331, 1359 (Fed. Cir. 2010).

## **I. INTRODUCTION**

Ridge is a pioneering consumer goods company specializing in wallets, watches, knives, pens, etc. Ridge is based in California, and the majority of the work it has done in creating, developing, and growing its business has occurred in the United States. Among other successes, Ridge has developed—in the United States—a sleek and compact RFID wallet that provides durability and reliability for every user, while minimizing the inconvenience of traditional, bulky, wallets.

The Accused Products are being imported unlawfully due to patent infringement, trade dress infringement, and other unfair acts. Ridge seeks a general exclusion order (or at minimum a limited exclusion order) prohibiting the importation of unlawful compact wallets and components thereof. Ridge also seeks cease and desist orders against Proposed Respondents, as any continued domestic sales would undercut the effectiveness of an exclusion order.

These remedies will provide relief from the pervasive, longstanding unlawful conduct of the Proposed Respondents, and force the Respondents to stop importing and selling infringing products. Protecting Ridge's intellectual property rights and substantial investments in the U.S. economy will serve the public interest. Accordingly, the Commission should decline to delegate the public interest determination to the Administrative Law Judge. Such delegation would unnecessarily increase costs and complicate the adjudication of this investigation, especially where the public interest determinations are straightforward.

## **II. PUBLIC INTEREST CONSIDERATIONS**

### **a. How the Accused Products Are Used in the United States.**

The Accused Products are compact wallets that consumers can use to carry money, identification, credit cards, and other card-shaped items conveniently on their person. Respondents

manufacture these products abroad, and sell them to domestic consumers throughout the United States. The Proposed Respondents sell through multiple sales channels, such as retail stores and online marketplaces.

**b. The Requested Remedial Orders Pose No Public Health, Safety, or Welfare Concerns**

The remedial orders that Ridge seeks, if issued by the Commission, will not raise any public health, safety, or welfare concerns. The accused products are not medical or health devices, nor are they otherwise essential to the public health or welfare. *Certain Radio Frequency Identification (“RFID”) Products and Components Thereof*, Inv. No. 337-TA-979, Initial Determination at 269 (June 22, 2017) ((citing *Spansion, Inc. v. Int’l Trade Comm’n*, 629 F.3d 1331, 1360 (Fed. Cir. 2010)) (“The Commission has historically examined whether ‘an exclusion order would deprive the public of products necessary for some important health or welfare need: energy efficient automobiles, basic scientific research, or hospital equipment.’”)).

Further, there are no health or safety features unique to the Proposed Respondents’ wallets. If the Commission excludes the Accused Products from the United States, U.S. consumers will continue to have access to not only Ridge’s patented wallets, but also to a variety of non-infringing wallets. *Certain Toothbrushes and the Packaging Thereof*, Inv. No. 337-TA-391, Comm’n Op. at (Oct. 15, 1997) (“the public interest favors the protection of U.S. intellectual property right, the U.S. market for toothbrushes of the type at issue could be supplied by complainant or by noninfringing alternatives, and toothbrushes are not the type of product that have in the past raised public interest concerns (such as, for example, drugs or medical devices)”)).

**c. Complainants and Third Parties Make Like or Directly Competitive Articles That Could Replace Excluded Accused Products**

The U.S. wallet market (and in particular, the “smart” wallet market) is highly competitive with a diverse field of participants offering products that directly compete with the Proposed Respondents’ Accused Products. Third parties with alternatives provide such wallets in the U.S. market and, together with Ridge, could replace any excluded products. Furthermore, remedial orders would not have any negative impact on competitive production in the United States because the Accused Products are all manufactured overseas. The Commission has explained that the consideration of the production of like or directly competitive articles does not weigh against issuance of a remedy when substitute products are available and the Accused Products are manufactured overseas. *See Certain Digital Televisions & Certain Prod. Containing Same & Methods of Using Same*, Inv. No. 337-TA-617, Comm’n Op. at 15 (Apr. 23, 2009).

**d. Complainants and Third Parties Have the Capacity to Replace the Volume of Articles Subject to Remedial Orders within a Commercially Reasonable Time**

Issuing the remedial orders that Ridge seeks would not harm the public interest because the market contains an adequate supply of competitive or substitute wallets to replace the Accused Products. In addition to Ridge itself and Ridge’s direct competitors offering non-infringing wallets, there are many other suppliers that are prepared to supply U.S. consumers with products that have the same or similar functionality as those offered by the Proposed Respondents. Issuance of an exclusion order does not implicate public interest concern where there are numerous alternatives to the product at issue that do not infringe the Complainant’s patents or trade dress, “and the presence of many domestic manufacturers assures continued competition in the U.S. marketplace and an adequate supply of [the product at issue] to U.S. consumers.” *Certain*

*EPROM, EEPROM, Flash Memory, and Flash Microcontroller Semiconductor Devices, and Prods. Containing Same*, Inv. No. 337-TA-395, 2001 ITC LEXIS 989, at \*223 (Feb. 2001).

**e. The Requested Remedial Orders Would Minimally Impact Consumers**

Consumers will not experience any negative impact if the Commission issues Ridge's requested remedial orders. Because numerous suppliers of wallets have the capacity to fill immediately any void created by the exclusion of the Accused Products, consumers will continue to have a wide variety of wallets available to them. Moreover, there is a "strong public interest in enforcing intellectual property rights" that in this case cuts strongly in favor of issuing the remedial orders. *Certain Baseband Processor Chips and Chipsets, Transmitter and Receiver (Radio) Chips, Power Control Chips, and Products Containing Same, Including Cellular Telephone Handsets*, Inv. No. 337-TA-543, 2007 ITC LEXIS 621, \*219 (June 19, 2007).

**III. CONCLUSION**

The requested remedies raise no public interest concerns, and the strong public interest in protecting intellectual property rights outweighs any hypothetical harm. The Commission should decline to delegate consideration of the public interest to the ALJ, and it should issue a general exclusion order, or at least a limited exclusion order and cease and desist orders if it determines that Proposed Respondents violated Section 337.

Dated: February 3, 2023

Respectfully submitted,

/s/ Benjamin E. Weed

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The Ridge Wallet LLC***



UNITED STATES INTERNATIONAL TRADE COMMISSION  
WASHINGTON, D.C.

In the Matter of

CERTAIN COMPACT WALLETES AND  
COMPONENTS THEREOF

Investigation No. 337-TA-\_\_\_\_\_

**VERIFIED COMPLAINT OF THE RIDGE WALLET LLC  
UNDER SECTION 337 OF THE TARIFF ACT OF 1930, AS AMENDED**

**COMPLAINANT**

The Ridge Wallet LLC  
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## **EXHIBIT LIST**

<b>Exhibit No.</b>	<b>Designation</b>	<b>Description</b>
1	Public	RossM Forged Carbon Wallet Sold on RossM Website
2	Public	Mosaic Storus Smart Wallet Sold on Etsy
3	Public	INSGG “Forged Red” Wallet Sold on Amazon
4	Public	SWZA Carbon Fiber Wallet Sold on WebCortex
5	Public	ARW Carbon Fiber Wallet Sold on Amazon
6	Private	“Ridge Wallet” and “Mens Wallet” Searches on Google Trends
7	Private	“Ridge Wallet” and “Mens Wallet” Searches on Google Ads
8	Private	Declaration of Sean Frank
9	Public	Generic Ridge Wallet on Twitter
10	Public	Walletoxia Article Comparing Ridge Wallet and Knockoffs
11	Public	“ <i>Forged Ember</i> ” Trade Dress on Wallet
12	Public	“ <i>Forged Ember</i> ” Trade Dress Examples
13	Public	Ridge “ <i>Forged Ember</i> ” Wallet Review
14	Public	Forbes Best Slim Wallets Review
15	Public	Ridge “ <i>Forged Ember</i> ” Authorized Merchandise
16	Public	RossM “ <i>Forged Ember</i> ” Best Seller
17	Public	RossM Shopify “ <i>Forged Ember</i> ” Benefits
18	Public	RossM Amazon “ <i>Forged Ember</i> ” Packaging on Amazon
19	Public	Mosaic Storus Carbon Fiber Wallet on Etsy
20	Public	INSGG Amazon “ <i>Forged Red</i> ” Wallet Benefits
21	Public	U.S. Patent No. 10,791,808
22	Public	Assignment Records for U.S. Patent No. 10,791,808
23	Public	RossM Infringement Claim Chart
24	Public	Mosaic Infringement Claim Chart
25	Public	INSGG Infringement Claim Chart
26	Public	SWZA Infringement Claim Chart
27	Public	ARW Infringement Claim Chart
28	Public	Mosaic Storus Wallet Sold on Amazon
29	Public	SWZA Wallet Sold on Poshmark
30	Public	ARW Wallet Sold on Walmart Website
31	Public	ARW Wallet Sold on GiftSwop
32	Public	RossM Packaging and Order Details
33	Public	Mosaic Storus Order Details
34	Public	INSGG Order Details
35	Public	SWZA Packaging and Order Details

36	Public	ARW Packaging
37	Public	Mosaic Storus Amazon Product Information
38	Public	INSGG Carbon Fiber Amazon Seller Profile
39	Public	Ridge Domestic Product Claim Chart
40	Public	Letter From S. Mack - Customs Ruling NY N305266

### **APPENDICES LIST**

<b>Exhibit No.</b>	<b>Designation</b>	<b>Description</b>
A	Public	A Prosecution History of U.S. Patent No. 10,791,808
B	Public	Patents and Applicable Pages of Technical References Mentioned in the Prosecution History of U.S. Patent No. 10,791,808

## **I. INTRODUCTION**

1. The Ridge Wallet LLC (“Ridge” or “Complainant”) requests that the United States International Trade Commission (“the Commission” or “ITC”) institute an investigation into violations of Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337 (“Section 337”), against (1) Rosemar Enterprise LLC d/b/a RossM Wallet (“RossM”); (2) Mosaic Brands, Inc. (“Mosaic”); (3) INSGG (“INSGG”); (4) Shenzhen Swztech Co., Ltd d/b/a SWZA (“SWZA”); and (5) Shenzhen Pincan Technology Co. Ltd. d/b/a ARW-Wallet (“ARW”) (collectively, the “Respondents” or “Proposed Respondents”).

2. This Complaint is based on Respondents’ unlawful and unauthorized importation into the United States, sale for importation into the United States, and/or sale within the United States after importation of certain compact wallets and components thereof (“Accused Products”) that infringe U.S. Patent No. 10,791,808 (the “’808 Patent”) and violate the common law trade dress used with and displayed on The Ridge Wallet-branded wallets manufactured and sold by The Ridge Wallet LLC. Pursuant to 19 C.F.R. § 210.12(a)(12), the Accused Products are two multi-piece panels held together with rivets, where the two panels are connected and urged toward one another with an elastic band. The compact wallets can be assembled with a money clip or an elastic and plastic cash strap. Further, the multi-piece panel has at least a first plate and a second plate where the second plate is external to the first plate. The second plate has an exposed face where the exposed face can have a distinct design, such as speckled red design.

3. Respondents have engaged in unlawful acts in violation of Section 337(a)(1)(A) through their unlicensed importation, sale for importation, or sale after importation of Accused Products that infringe and dilute Ridge’s distinctive The Ridge Wallet trade dress, including the overall exterior appearance of the wallet design, including at least the “*Forged Ember*” style

design.

4. Respondents have violated Section 337(a)(1)(B) through their unlicensed importation, sale for importation, or sale after importation of Accused Products that infringe the '808 Patent; Ridge asserts that such Accused Products infringe at least Claims 1, 2, 3, 4, 9, 12, 13, 14, 15, 16, and 17 of the '808 Patent (the "Infringed Claims"). Ridge owns full rights, title, and interest in and to the '808 Patent.

5. Ridge has an existing domestic industry under Section 337(a)(2)–(3) through its investments in plant, equipment, labor, capital, and exploitation relating to articles protected by the '808 Patent and the Ridge Forged Ember Trade Dress (collectively, the "Ridge Intellectual Property" or "Ridge IP"). In support of this claim, Ridge provides factual evidence in the form of a Declaration of the CEO of Ridge, attached hereto as Exhibit 8.

6. Respondents' unfair acts in violation of Section 337(a)(1)(A)–(B) have substantially injured, or threaten to substantially injure, Ridge's domestic industry.

7. Ridge seeks relief from the Commission in the form of a general exclusion order under 19 U.S.C. § 1337(d) because, pursuant to 19 U.S.C. § 1337(d)(2), general exclusion from entry of articles is necessary to prevent circumvention of an exclusion order limited to products of named persons. Ridge also seeks a permanent limited exclusion order under 19 U.S.C. § 1337(d), excluding from entry into the United States Accused Products that infringe the Ridge IP. Ridge further seeks cease and desist orders under 19 U.S.C. § 1337(f) halting Respondents from conducting any of the following activities in the United States: importing, selling, marketing, advertising, distributing, transferring, or soliciting U.S. agents or distributors for, compact wallets that incorporate or display or are marketed or sold in connection with the Ridge IP or that are confusingly similar to the Ridge IP. Ridge further seeks as relief a bond of 100% of the sales value



upon importation of Respondents' Accused Products that infringe one or more claims of the '808 Patent during the 60-day Presidential review period pursuant to 19 U.S.C. § 1337(j).

## **II. THE PARTIES**

### **a. Complainant The Ridge Wallet LLC**

8. Complainant Ridge is a Delaware limited liability company having its principal place of business at 2448 Main St., Santa Monica, CA 90405.

9. Ridge is the owner of U.S. Patent No. 10,791,808 and the owner of common law trade dress styled as a forged carbon surface speckled with the color red and characterized by the term "*Forged Ember*."

10. Ridge is an innovative and revolutionary consumer goods company that has changed the industry with regard to several categories of products. One such category that Ridge has revolutionized is the category of compact wallets.

11. Ridge was formed in 2014 with the simple belief that the company could make wallets better. Prior to Ridge revolutionizing the industry, wallets were designed to hold everything from gift cards and credit cards to receipts and coins.

12. Ridge turned that approach on its head with its minimalist-first design approach.

13. After two Kickstarter campaigns, nine years of research and development in the United States, and over two million wallets sold, Ridge continues to start every day with that same mentality: to improve the items customers carry every day. Ridge's continued success in introducing successful, carryable products is evidence of its innovative approach and business acumen.

### **b. Respondents**

14. The Proposed Respondents include various entities that manufacture, sell for

importation into the United States, import, and/or offer for sale and sell within the United States after importation, the Accused Products.

15. A summary of claims against respondents is as follows:

<b>Respondent</b>	<b>Claim</b>
RossM	Infringement of the Infringed Claims of the '808 Patent and Ridge's Trade Dress
Mosaic	Infringement of the '808 Patent
INSGG	Infringement of the Infringed Claims of the '808 Patent and Ridge's Trade Dress
SWZA	Infringement of the Infringed Claims of the '808 Patent and Ridge's Trade Dress
ARW	Infringement of the Infringed Claims of the '808 Patent and Ridge's Trade Dress

16. With respect to each Proposed Respondent, Ridge alleges the following upon information and belief:

**i. Respondent RossM**

17. Upon information and belief, RossM is a company of California with its principal place of business located at 333 E Amado Rd # 253 Palm Springs CA 92263-0253, USA.

18. RossM produces abroad, sells for importation, imports, and/or sells in the United States after importation Accused Products. For example, the Forged Carbon Wallet is sold for importation. Exhibit 1.

**ii. Respondent Mosaic**

19. Upon information and belief, Mosaic is a company of Delaware with its principal place of business at 1427 Vine Ln, Alamo, CA 94507-1153. Mosaic produces abroad, sells for importation, imports, and/or sells in the United States after importation Accused Products. For example, the Storus Smart Wallet is sold in the U.S. after importation. See Exhibit 2.

**iii. Respondent INSGG**

20. Upon information and belief, INSGG is a company of China with its principal place of business at Dongxiaolian No. 553, Wensan Road, West Lake District, Room 2019, Zhejiang SME Building, Hangzhou City, Zhejiang Province, 330009, CN.

21. INSGG produces abroad, sells for importation, imports, and/or sells in the United States after importation Accused Products. For example, the Forged Red is sold for importation. *See Exhibit 3.*

**iv. Respondent SWZA**

22. Upon information and belief, SWZA is a company of China with its principal place of business at 27E Building D, ZhongXin Garden, Buji Town, Shenzhen, Guangdong, 518112, CN.

23. Upon information and belief, SWZA produces abroad, sells for importation, imports, and/or sells in the United States after importation Accused Products. For example, the SWZA Money Clip Wallet Forged Ember is sold for importation. *See Exhibit 4.*

**v. Respondent ARW**

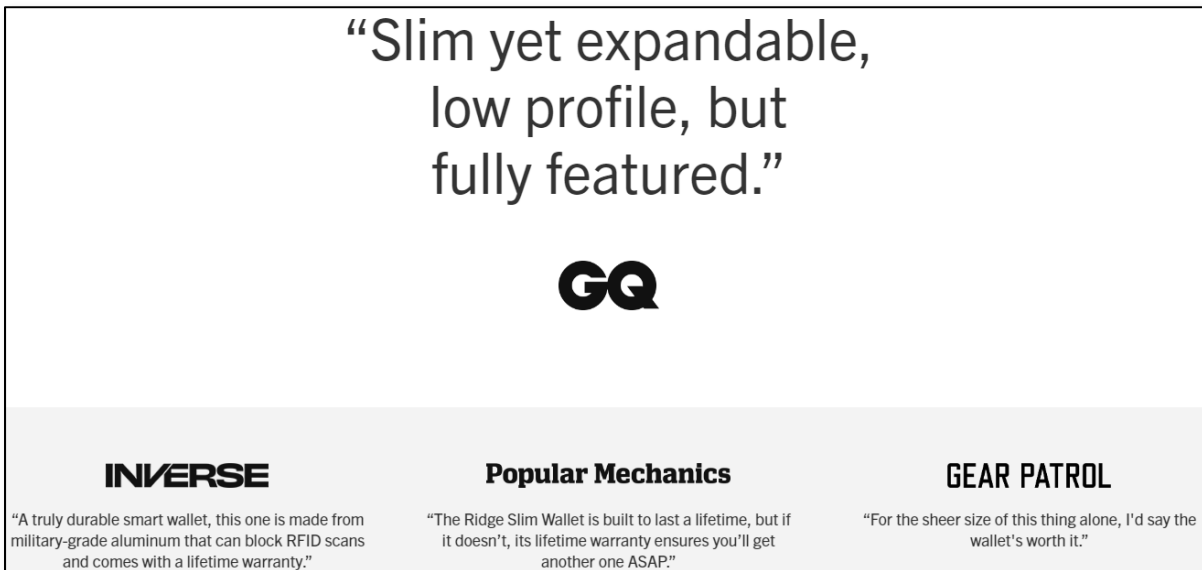
24. Upon information and belief, ARW is a company of China with its principal place of business at Room 312-320, 3rd Building, XingHui Technology Park HuaLing West Road, DaLang, LongHua Shenzhen Guangdong, 518109.

25. Upon information and belief, ARW produces abroad, sells for importation, imports, and/or sells in the United States after importation Accused Products. For example, the Carbon Fiber Wallet, ARW Metal Money Clip Wallet, RFID Blocking Minimalist Wallet for Men is sold in the U.S. after importation. *See Exhibit 5.*

**III. BACKGROUND INFORMATION ON THE PRODUCTS AT ISSUE**

**a. The Ridge Wallet**

26. Today, the Ridge Wallet is one of the most distinct and recognizable wallets on the market.



27. It all started when inventor Daniel Kane had an idea for a wallet that is sleeker and smaller than a traditional tri-fold or bi-fold wallet.

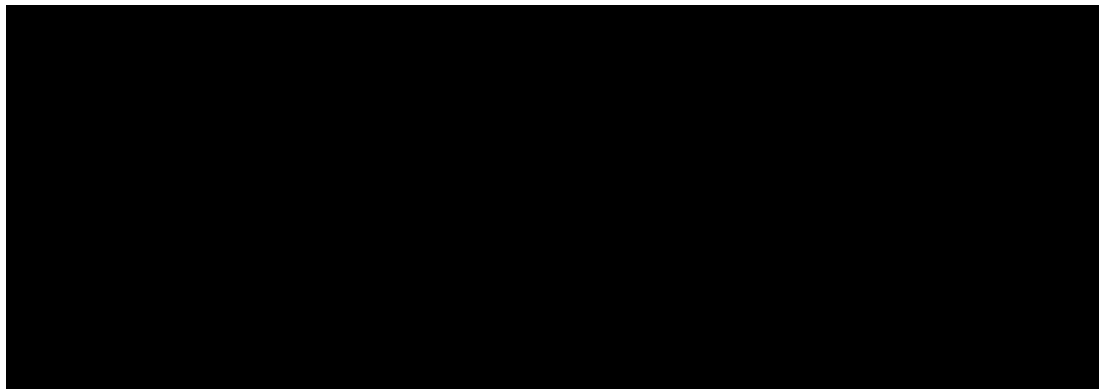


28. Sitting at his home in California, Mr. Kane came up with a design for a card-shaped wallet to hold not only cards (credit cards, identification cards, and the like) but also to hold cash. Its exterior was metal and included a money clip. It included two multi-piece metal panels that were initially held together with rivets. The two panels were urged toward one another with an elastic band. In fact, Mr. Kane's mother sewed the very first set of elastic bands, and a Simi Valley, California metalworker named Loren, crafted the metal components that were used in those first wallets including the rivets used to fix the plates together. The interior plates of the original

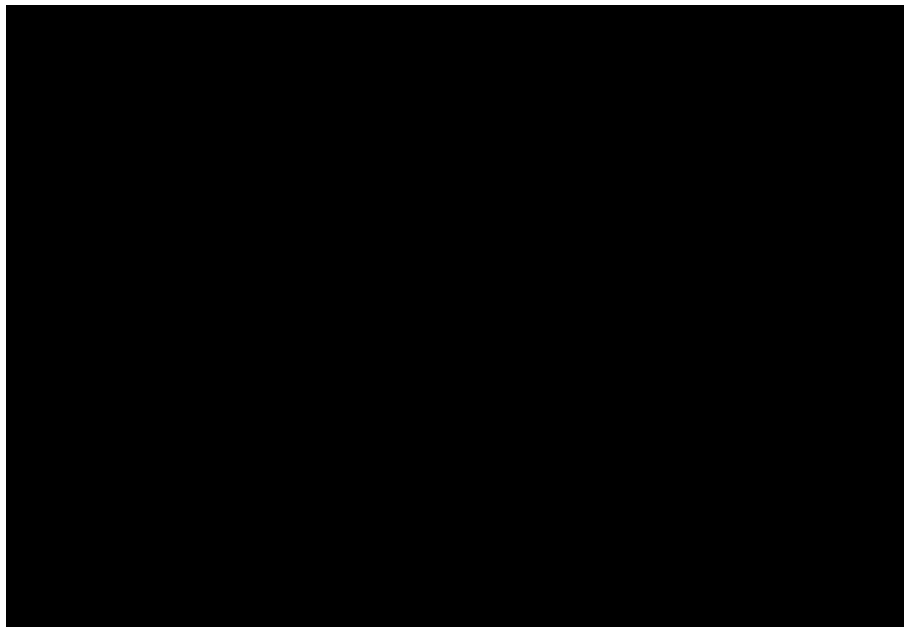
prototypes were made by Mr. Kane by modifying plastic gift cards glued together and removing excess plastic to make the inner track for the elastic bands made by his mother. Those plastic interior plates were then re-created in metal by Loren to create the first metal prototypes.

29. Ridge first began offering for sale its domestic industry product, which embodies the '808 Patent, in 2019. As interest in the Ridge Wallet's innovative products grew, and sales and revenue reflected this growth, Ridge began offering different iterations of the same wallet to address differences in style preferences of consumers.

30. By way of example, over the last ten years, "ridge wallet" has slowly surpassed "mens wallet" and "wallet" to become the highest volume search term on google.com in the wallet market. *See, e.g.*, Exhibit 6:

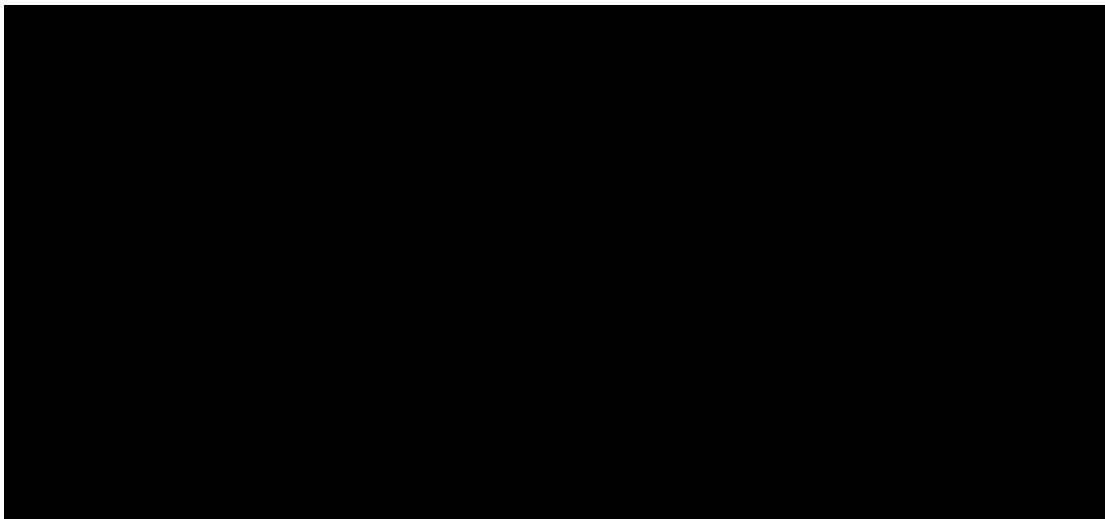


31. By way of further example, there are now [REDACTED] more searches for "ridge wallet" than for "mens wallet" every month. *See, e.g.*, Exhibit 7.

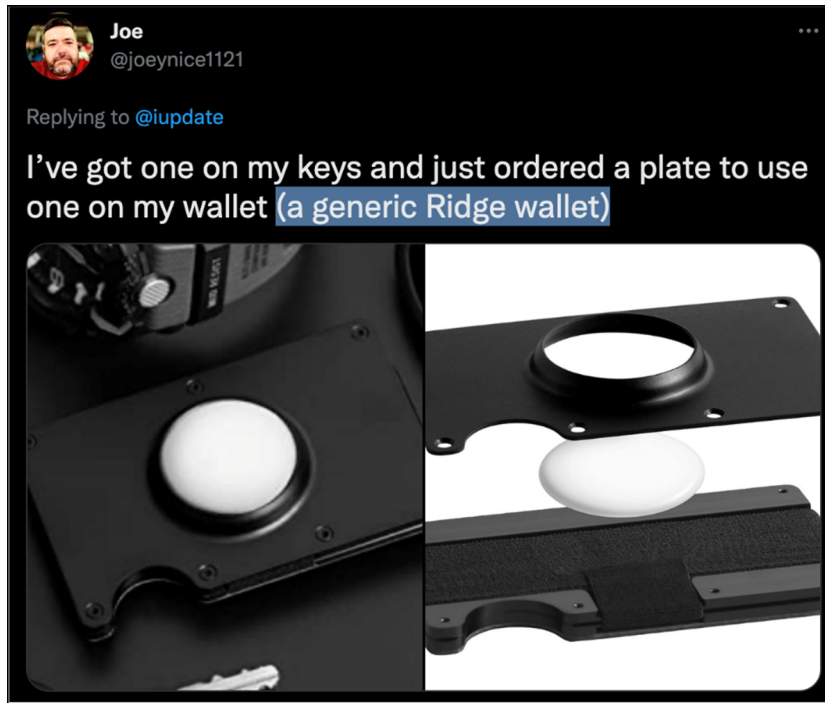


32. Most impressively, the Ridge brand is the [REDACTED] search query in the *entire wallet market*, brand or non-brand. *See, e.g.*, Exhibit 7.

33. In 2022, alone, searches for “ridge wallet” hit a record-high [REDACTED], with as many as [REDACTED] searches in a single day.



34. Ridge’s innovative, dual-track, metal design has become synonymous with the brand itself, leading consumers to refer to knockoffs as “generic ridge wallets.” *See, e.g.*, Exhibit 9:

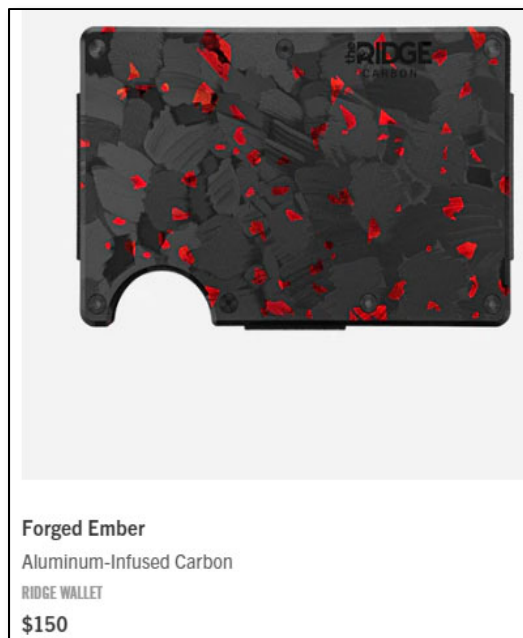


35. In fact, Walletopia put together an article taking “the top 6 Ridge knock off wallets from Amazon and compar[ing] them to the original ridge Carbon Fiber and Ridge Aluminum. It’s the Ridge vs knockoff to see if it makes sense to try before you buy a Ridge wallet.” See Exhibit 10. In the post, Walletopia acknowledges that other sellers are clearly “Ridge knockoffs:”

We have all seen the advertising for [Ridge Wallets](#) and all that they have done. They are everywhere and their design set the pace for a wallet that works well for a sandwich-type design. That said, we know every wallet has knockoffs.

*Id.*

36. In February of 2021, Ridge first offered for sale its domestic industry product embodying the Ridge Forged Ember Trade Dress. See, e.g., Exhibit 11:



Further representative examples of the Ridge Forged Ember Trade Dress are attached as Exhibit 12.

37. Through nearly two years of sales, together with extensive advertising and promotion (and accordingly significant investment in both), Ridge successfully developed strong consumer recognition for the iconic trade dress of Forged Ember.

38. The Ridge Forged Ember Trade Dress resonates in the mind of consumers on an ongoing basis, due to its fame and Ridge's continued use and promotion of the trade dress through ongoing sales, marketing, and promotion.

39. As evidence of this resonance, "forged ember" queries simply did not exist before the launch of the Ridge Forged Ember product in 2021, and now result in tens of thousands of queries a year:





40. Many reviewers of The Ridge Wallet simply refer to the wallet as “The Ridge Forged Ember Wallet.” In one instance, the Ridge Wallet Forged Ember Trade Dress was described as “unforgettable.” *See* Exhibit 13:

### **Ridge Forged Ember Wallet Review**

The Ridge Forged Ember is a minimalist, RFID-blocking wallet. This wallet has an unforgettable look and a practical, compact design. Also, it has an expandable elastic that will allow you to carry up to 12 cards inside the cardholder. The Ridge Forged Ember wallet will maintain its slim profile, even if you fill it with cash and cards. This minimalist wallet is modern, functional, and will hold all of your essentials.

*See* Exhibit 14.

41. Building on the success of The Ridge Wallet, Ridge continues to use and promote the Ridge Forged Ember Trade Dress on a variety of merchandise and products available through its own website and through third party retailers through its wholesale program. Over the last four years, Ridge has sold millions of dollars’ worth of products that display Ridge’s Trade Dress and products that embody the ’808 Patent. Representative examples of Ridge’s authorized merchandise are attached as Exhibit 15.

42. Because of their exclusive and continuous longstanding use, the Ridge Forged Ember Trade Dress identifies Ridge’s wallets and function as a direct link to the history of

the Ridge Wallet, conveying to the public that a wallet bearing the Ridge Forged Ember Trade Dress is the reliable “original.” Further, because of the exclusive and continuous use and extensive sales and marketing of the Ridge Forged Ember Trade Dress in connection with Ridge’s wallets, the Ridge Forged Ember Trade Dress have become distinctive, associated exclusively with Ridge, and indeed famous among the general consuming public in the United States. The Ridge Forged Ember Trade Dress is thus of tremendous value to Ridge, immediately communicating a host of positive attributes associated with Ridge’s wallets.

**b. Respondents’ Accused Products**

43. After the launch of The Ridge Wallet, Respondents launched their own copycat and/or counterfeit versions of The Ridge Wallet that embody the ’808 Patent and/or infringe Ridge’s Trade Dress. Upon information and belief, the Accused Products are manufactured abroad (e.g., in China), imported into the United States, and sold throughout the United States through online distribution channels such as Amazon, Alibaba, and Etsy.

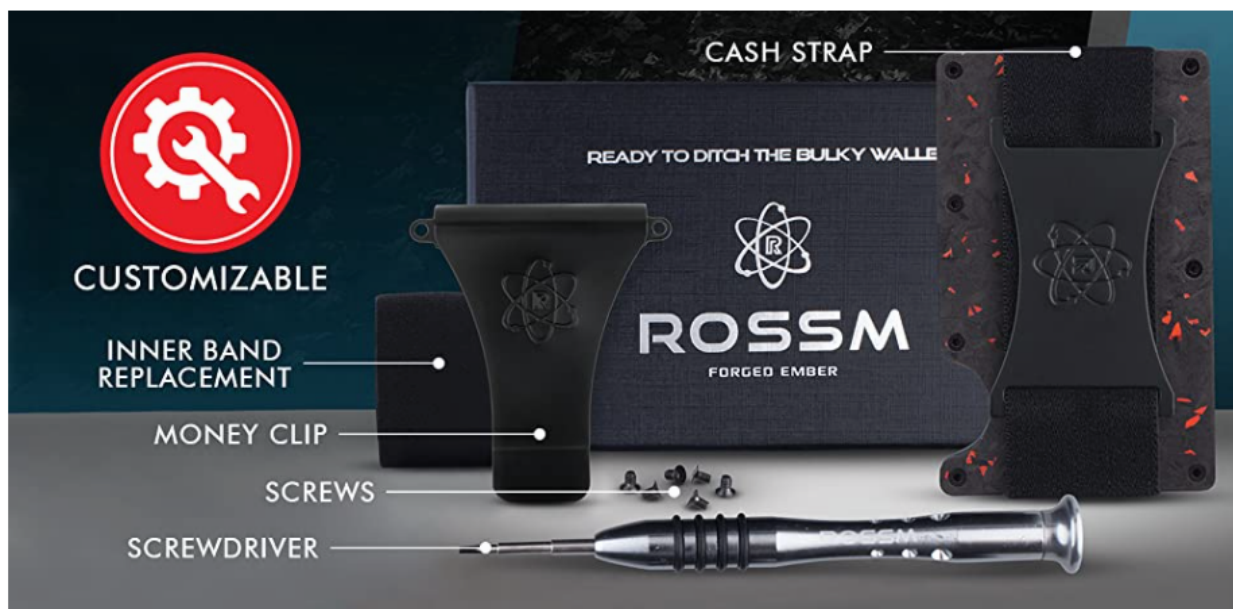
44. Representative examples of the Accused Products from Respondents’ websites, depicted in Exhibits 1-5, show that the Accused Products are a nearly identical copy of the distinctive Ridge Wallet design and even go so far as to incorporate the Ridge Forged Ember Trade Dress in some models.

45. The RossM Accused Products are representative of the Accused Products. RossM touts its “Forged Ember” wallet as a “Best Seller” on its website: <https://rossmwallet.com/>. See Exhibit 16. And, its marketing literature on the website features the same benefits as those intended by the invention of the ’808 Patent:



See Exhibit 17.

46. RossM's packaging acknowledges the very problem the Ridge Wallet was intending to solve, encouraging customers to "ditch the bulky wallet." See Exhibit 18.



*Id.*

47. In fact, information available online, including the above-referenced Walletoxia article, refer to at least one Respondent's (RossM) infringing wallet as a "knockoff." See Exhibit 10:

The last wallet on the list is the Rossm. This is a popular one that I wanted to leave for last. It is priced at \$30. As we look at it, it comes with everything you would expect typically in comparison to a Ridge, it has screws, replacement screws, it also has a full-featured Ridge screwdriver. It is very much the same type of quality in what it provides compared to the main wallet. None of the other wallets came with any kind of instructions, while this one does and it comes with an optional money clip. So like the bundles you can get with the Ridge, this one does come with a strap and a money clip. One of the things I really like about this one is that it is a matte finish just like the Ridge. The 12 cards work just seamlessly, and about the same type of hold that we get from the Ridge.

48. The article goes so far as to acknowledge that "Rossm also produces direct

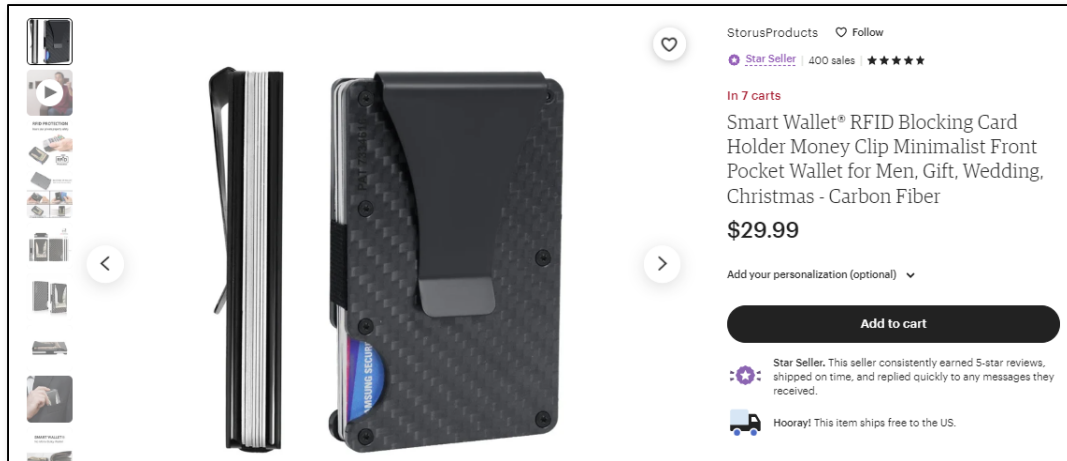
material competitors to Ridge with the same names, like *Forged Ember*, Forged Carbon, and various aluminum versions. *They are really going after Ridge in all accounts.*” See, e.g., *id.*:

The Rossm starts with a strap but also has the clip that is offered. Like the others, the strap is not integrated, it just wraps around the top plate and looks very much like other knockoffs and is a bit weaker for my unscientific approach, still, it is sewn much better than the others. The Ridge strap elastic is fully integrated across the platform; unlike the knockoffs, it pulls more easily. I am unsure if that is an advantage or a disadvantage, but on the Rossm, the strap is easily taken off and replaced with the money clip without needing to take apart the other side of the wallet as done with the Ridge. Rossm also produces direct material competitors to Ridge with the same names, like Forged Ember, Forged Carbon, and various aluminum versions. They are really going after Ridge in all accounts. And they also have a screw list model, which I thought was really quite intriguing. Still, I like the matte version, which is very much closer to the matte version of the Ridge, I would choose it over the glossy version.

49. And unfortunately, articles like this one *encourage* consumers to purchase knockoff versions, like the Accused Products (of RossM, specifically) to “test[] to see if I wanted to invest in the Ridge. . . So for \$30, you too can try what a Ridge is all about without dropping a tank full of gas to get one.” *Id.*

50. Like RossM, the other Respondents’ messaging surrounding the Accused products mirrors that of Ridge.

51. First, the Mosaic Accused Products are representative of the Accused Products. Mosaic touts its Carbon Fiber wallet as a “Star Seller” on its website. See Exhibit 19.



52. Further, its marketing literature on the website features the same benefits as those intended by the invention of the '808 Patent:



Smart Wallet® is a patented credit card holder money clip wallet, As Seen On TV. It has a slim minimalist design and fits into a front pants or jacket pocket or purse. It measures 3.4 inches long by 2.1 inches wide x 0.50 inches deep with expandable capability. It is engravable and makes the perfect gift.

**Features + Benefits:**

RFID Blocking Technology: protects private information, credit cards, IDs, and driver's license from scanning devices. Ensures safety of private information from identity theft. US GOVT. FIPS 201 APPROVED

Design: It is a 2-in-1 product with a traditional style money clip attached to a card holder chamber. The clip can be used to hold dollar bills and receipts. The chamber is used to store credit cards and IDs. The carbon fiber plates are connected with flexible elastic lips to increase or decrease card capacity. Cards will not slip out easily. It has a cut out design for easy removal of cards.

Slim + Ultra Light: It is significantly thinner than a traditional leather wallet but can hold up to 12 cards and IDs. It is ultra light and is comfortable in a front pants or jacket pocket making it great for travel.

High Quality: It is made with 100 percent real carbon fiber and 304 stainless steel money clip. It is durable and long lasting.

*Id.*

53. Second, the INSGG Accused Products are representative of the Accused Products. INSGG's website marketing literature features the same benefits as those intended by the invention of the '808 Patent:





Exhibit 20.

54. Third, the SWZA Accused Products are representative of the Accused Products. SWZA's website marketing material features the same benefits as those intended by the invention of the '808 Patent:





Exhibit 4.

55. Finally, the ARW Accused Products are representative of the Accused Products. ARW's website marketing literature features the same benefits as those intended by the invention of the '808 Patent:

#### About this Item

- **【Excellent Value】** : You will get a minimalist carbon fiber wallet + an extra mini money clip + a DIY screwdriver maintenance kit + a wonderful gift box, The Men's wallet is made of carbon fiber material, Light weight ,durable,Good toughness,scratch proof, it combines multiple advantages in one,The value is far more than the money you paid.
- **【RFID Blocking】** : This front pocket wallets blocks RFID-Skimming, it keeps your private and credit card away from thieves' scanning devices, insure your private property safety, the metal plate and elastic band hold the credit card well, It is definitely a secure wallet.
- **【Slim Body & Large Capacity】** : The slim wallet comes with mini size and large capacity, you could put a various number of cards ( up to 12pcs ) into the card purse, both the metal clip on the wallet and the extra mini carbon fiber money clip could carry daily cash very well. Let us say goodbye to the bulky wallet, for now, you could own a slim edc wallet.
- **【DIY Life Fun】** : The screwdriver maintenance kit is special for you to assemble and install your personal perfect wallet, it is easy to operate, do what you want ,get a DIY wallet, enjoy the DIY Life Fun.
- **【Perfect Gift Idea】** : The Package box is so premium,It is a good gift to your grandpa,dad, husband,son,brothers,boyfriend,classmates. By the way, do not throw the box away ,the practical box could help you to store some small items, such as earrings,necklace,hair clips, buttons,brooches and so on.

[^ See less](#)

Exhibit 5.

56. Respondents have no right to use the Ridge IP. Ridge owns and retains full rights in the Ridge IP and has not granted a license to Respondents to use the Ridge IP in any country, including the United States.

#### **IV. THE ASSERTED INTELLECTUAL PROPERTY**

##### **a. The '808 Patent**

##### **i. Identification and Ownership**

57. Ridge owns, by assignment, the right, title and interest in United States Patent No. 10,791,808, titled "Compact Wallet," which issued on Oct. 6, 2020 naming Daniel Kane as the sole inventor. The '808 Patent issued from U.S. Patent Application Serial No. 15/421,596, filed February 1, 2017. A copy of the '808 Patent is attached as Exhibit 21. A copy of the assignment from the named inventor to Ridge is attached as Exhibit 22. A copy of the prosecution history of the '808 Patent is attached as Appendix A. Copies of each patent and applicable pages of each

technical reference mentioned in the prosecution history of the '808 Patent are attached as Appendix B.

**ii. Foreign Counterparts to the '808 Patent**

58. Pursuant to Commission Rule 210.12(a)(9)(v), to the best of Ridge's knowledge, information, and belief, Ridge lists WO/2016/179586, filed as PCT Application No. PCT/US2016/031472, as a foreign patent and/or foreign patent application (not already issued as a patent) corresponding to the '808 Patent. The PCT application has now lapsed.

59. Ridge is not aware of any additional patent and/or foreign patent application that has been denied, abandoned, or withdrawn corresponding to the '808 Patent.

**iii. Identification of Licensees**

[REDACTED]

**iv. Non-Technical Description of the '808 Patent<sup>1</sup>**

60. The '808 Patent generally relates to a sleek card and money-carrying device such as a compact wallet that is capable of blocking radio frequency identification ("RFID"). In particular, the claimed "invention is a compact wallet designed to present a minimal silhouette in a shirt, pants, or purse pocket. Novel features hold the silhouette to the minimal dimensions of a credit card while affording maximal expandability for content storage and accessibility." Exhibit 21, at Abstract. The Ridge Wallet comprises two multi-piece panels held together with rivets, where the two panels are connected and urged toward one another with an elastic band. The

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<sup>1</sup> The non-technical description of the '808 Patent herein is presented to give a general background of the invention. Such statements are not intended to be used, nor should be used, for purposes of patent claim interpretation. Complainant presents these statements subject to, and without waiver of, its right to argue that claim terms should be construed in a particular way as contemplated by claim interpretation jurisprudence and the relevant evidence.

compact wallets can be assembled with a money clip or an elastic and plastic cash strap. Further, the multi-piece panel has at least a first plate and a second plate where the second plate is external to the first plate. The second plate has an exposed face where the exposed face can have a distinct design, such as speckled red.

61. Figure 2 of the '808 Patent illustrates some of the pertinent features of the inventions disclosed therein:

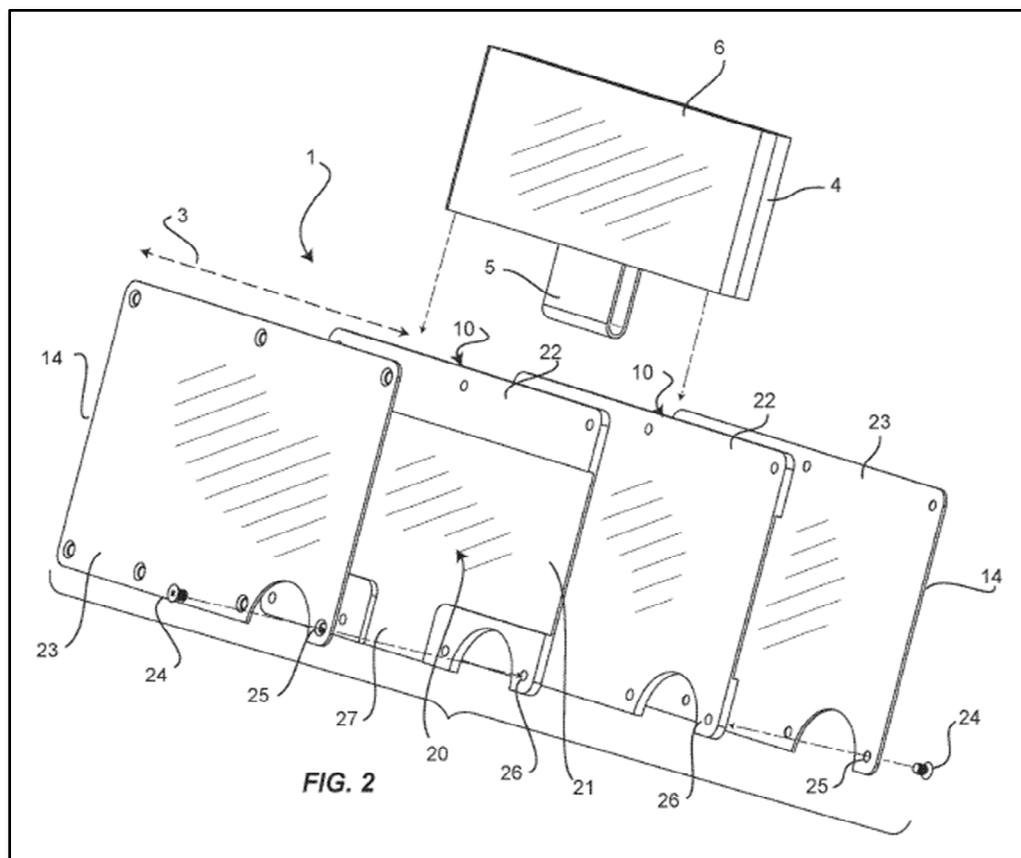


Exhibit 21, at Fig. 2.

**b. The Ridge Wallet's Trade Dress**

62. Ridge owns rights and protectable interests in the Ridge Forged Ember Trade Dress. Ridge Wallets have certain key design features that constitute the Ridge Forged Ember Trade Dress and that distinguish them from other commercially available wallets. The Ridge Forged

Ember Trade Dress consists of the overall exterior appearance and styling of the wallet design, including a carbon fiber wallet with red speckling for which Ridge uses the term “*Forged Ember*.”

63. An exemplar image of The Ridge Wallet bearing the Ridge Forged Ember Trade Dress is shown below in Figure 1:

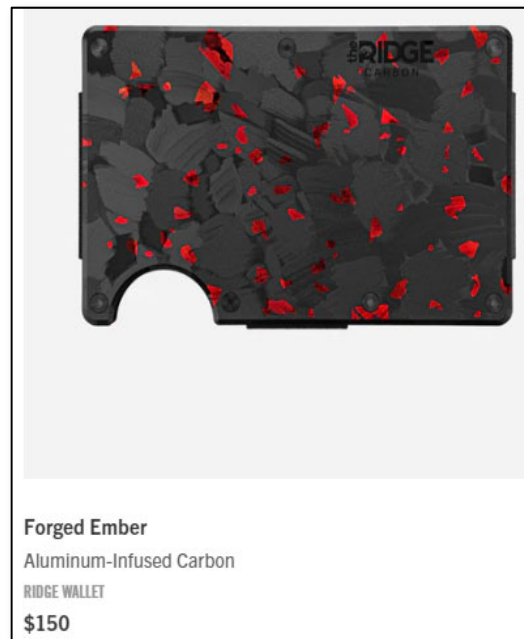


Exhibit 11.

64. The Ridge Forged Ember Trade Dress is distinctive and has acquired secondary meaning through, *inter alia*, years of use, extensive sales, advertising and promotion, awards, and unsolicited media attention. Based on exclusivity after first launch of The Ridge Wallet in the United States, the extensive marketing, and the resultant voluminous sales and industry recognition of The Ridge Wallet, the Ridge Forged Ember Trade Dress has acquired secondary meaning and distinctiveness, and has become famous among consumers. Consumers have come to rely upon the appearance of the Ridge Forged Ember Trade Dress as an indicator of the source and quality of the product.

65. The Ridge Forged Ember Trade Dress is non-functional in its entirety, visually

distinctive, and unique in the wallet industry. Numerous other non-infringing, non-dilutive designs are available that are equally feasible and efficient, none of which necessitate copying the Ridge Forged Ember Trade Dress. Indeed, multiple other wallet manufacturers compete successfully without copying the unique Ridge Forged Ember Trade Dress.

66. Pursuant to 19 C.F.R. § 210.12(e), Ridge states that it has not attempted to register a trademark for the Ridge Forged Ember Trade Dress in the United States. Ridge Wallet filed Application Serial No. 97/447,035 for the mark FORGED EMBER covering wallets and key cases on June 7, 2022. The application is pending and has not yet been reviewed by an Examining Attorney.

## **V. RESPONDENTS' UNLAWFUL AND UNFAIR ACTS**

### **a. Infringement of the '808 Patent**

67. Respondents have engaged in unlawful and unfair acts including the sale for importation into the United States, importation into the United States, and/or sale within the United States after importation of Accused Products, the use of which in the United States directly infringes at least Claims 1, 2, 3, 4, 9, 12, 13, 14, 15, 16, and 17 of the '808 Patent (*i.e.*, the Asserted Claims).

68. These infringing activities by Respondents constitute a violation of Section 337. The infringement allegations contained in this Complaint include Respondents' direct infringement of the '808 Patent (literally and/or under the doctrine of equivalents) by the use of the Accused Products.

69. The unlawful acts described below are provided by way of example only. Further discovery may reveal other products, the use of which infringes the claims of the '808 Patent, that are also sold for importation into the United States, imported into the United States, and/or sold

after importation within the United States. Further discovery may also reveal that additional claims of the '808 Patent are infringed by the use of Respondents' products.

**i. Respondent RossM**

70. Ridge put RossM on notice of its infringement by way of a takedown letter on January 6, 2023. Additionally, Ridge is putting RossM on further notice of its infringement by way of this Complaint and the detailed infringement charts attached hereto. Exhibit 23.

**ii. Respondent Mosaic**

71. Ridge put Mosaic on notice of its infringement by way of the infringement counterclaim filed in the U.S. District Court for the Central District of California, filed November 11, 2020. In addition, Mosaic was made aware of its infringement by this Complaint and the detailed infringement charts attached hereto. Exhibit 24.

**iii. Respondent INSGG**

72. Respondent INSGG has been given notice of its infringement by, among other things, the issue date of the '808 Patent, which published October 6, 2020. In addition, INSGG was again made aware of its infringement by this Complaint and the detailed infringement charts attached hereto. Exhibit 25.

**iv. Respondent SWZA**

73. Ridge put SWZA on notice of its infringement by way of a takedown letter on January 6, 2023. In addition, SWZA was again made aware of its infringement by this Complaint and the detailed infringement charts attached hereto. Exhibit 26.

**v. Respondent ARW**

74. Ridge put ARW on notice of its infringement by way of a takedown letter on December 21, 2022. In addition, ARW was again made aware of its infringement by this

Complaint and the detailed infringement charts attached hereto. Exhibit 27.

**b. Trade Dress Infringement 15 U.S.C. § 1125(a)**

75. Ridge owns all right, title, and interest in the Ridge Forged Ember Trade Dress and has standing to bring an action for trade dress infringement under the United States Lanham Act, 15 U.S.C. § 1051 *et seq.* and common law.

76. Ridge's Trade Dress is non-functional, visually distinctive, and unique in the wallet industry.

77. For years, the Ridge Forged Ember Trade Dress has been (and continues to be) recognized by consumers as a source identifier for The Ridge Wallet.

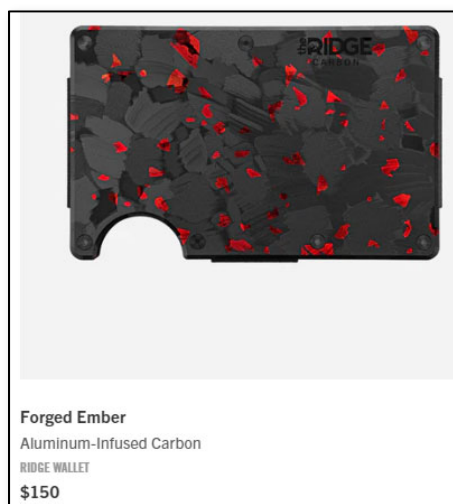


Exhibit 11.

78. Respondents' unauthorized use of the Ridge Forged Ember Trade Dress and confusingly similar imitations thereof in connection with the Accused Products is likely to cause confusion and mistake and deceive potential consumers and the public as to the source, origin, sponsorship or approval of Respondents' non-Ridge brand wallet or as to affiliation, connection, or association between Respondents or their wallets and Ridge or its wallets.

79. Upon information and belief, Respondents' infringement is willful in that



Respondents know that they do not have the right to use the Ridge Forged Ember Trade Dress in the United States. Respondents are further capitalizing on the goodwill and reputation associated with the Ridge Forged Ember Trade Dress.

80. Respondents' actions constitute trade dress infringement in violation of Section 43 of the Lanham Act, 15 U.S.C. § 1125(a) *et seq.*

81. Respondents' unauthorized use of the Ridge Forged Ember Trade Dress has caused and, unless stopped through an exclusion order, will continue to cause great and irreparable substantial injury to Ridge, the Ridge's brand, the Ridge Forged Ember Trade Dress, and to the business and goodwill represented and protected by them.

**i. Respondent RossM**

82. RossM has offered for sale and, upon information and belief, is selling a wallet that infringes Ridge's Trade Dress.

83. RossM's infringement is illustrated in the representative example below.

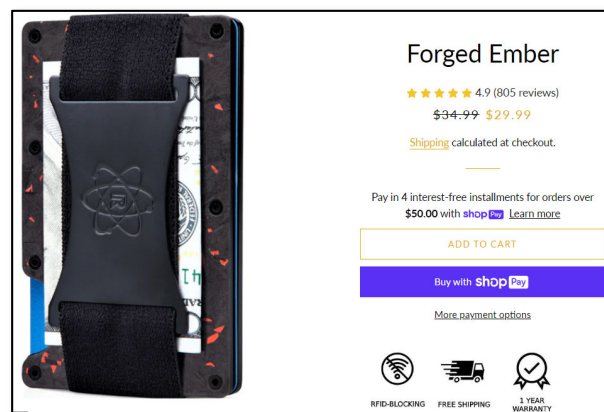


Exhibit 1.

**ii. Respondent INSGG**

84. INSGG has offered for sale and, upon information and belief, is selling a wallet

that infringes Ridge's Trade Dress.

85. INSGG's infringement is illustrated in the representative example below.



Exhibit 3.

**iii. Respondent SWZA**

86. SWZA has offered for sale and, upon information and belief, is selling a wallet that infringes Ridge's Trade Dress.

87. SWZA's infringement is illustrated in the representative example below.



Exhibit 4.

**iv. Respondent ARW**

88. ARW has offered for sale and, upon information and belief, is selling a wallet that infringes Ridge's Trade Dress.

89. ARW infringement is illustrated in the representative example below.



Exhibit 5.

**VI. SPECIFIC INSTANCES OF IMPORTATION AND SALE**

90. Upon information and belief, Respondents import, sell for importation, and/or sell within the United States after importation the Accused Products.

91. Upon information and belief, the Accused Products are currently being sold online and with retailers across the United States. *See* Exhibits 1-5, 16-20, 28-31. At present, Ridge is unable to quantify the volume of imports, of sales for importation, and of sales after importation of the Accused Products in the United States. Ridge is aware that the number of websites in the United States that sell the Accused Products has increased.

92. Ridge has purchased the Accused Products, and packaging (or order details) of each Accused Product indicates that the products are manufactured abroad, with many made in China.

*See* Exhibits 32-36.

93. In addition, information on Amazon indicates that at least some of the proposed Respondents have manufacturing locations in China. Exhibits 37, 38.

**a. Respondent RossM**

94. Upon information and belief, Respondent imports, sells for importation, and/or sells within the United States after importation the Accused Products.

95. Upon information and belief, the Accused Products are currently being sold from online websites in the United States. *See* Exhibits 1, 16, 17. At present, Ridge is unable to quantify the volume of imports, of sales for importation, and of sales after importation of the Accused Products in the United States. Ridge is aware that the number of websites in the United States that sell the Accused Products has increased.

96. Ridge purchased an Accused Product. On the packaging, it plainly states “Made in China” and thus must be imported into the United States for sale.

97. The picture below was taken by counsel for Complainant on a package actually received by Counsel for Complainant. The image shows a representative example of the packaging for the Accused Products made in China:

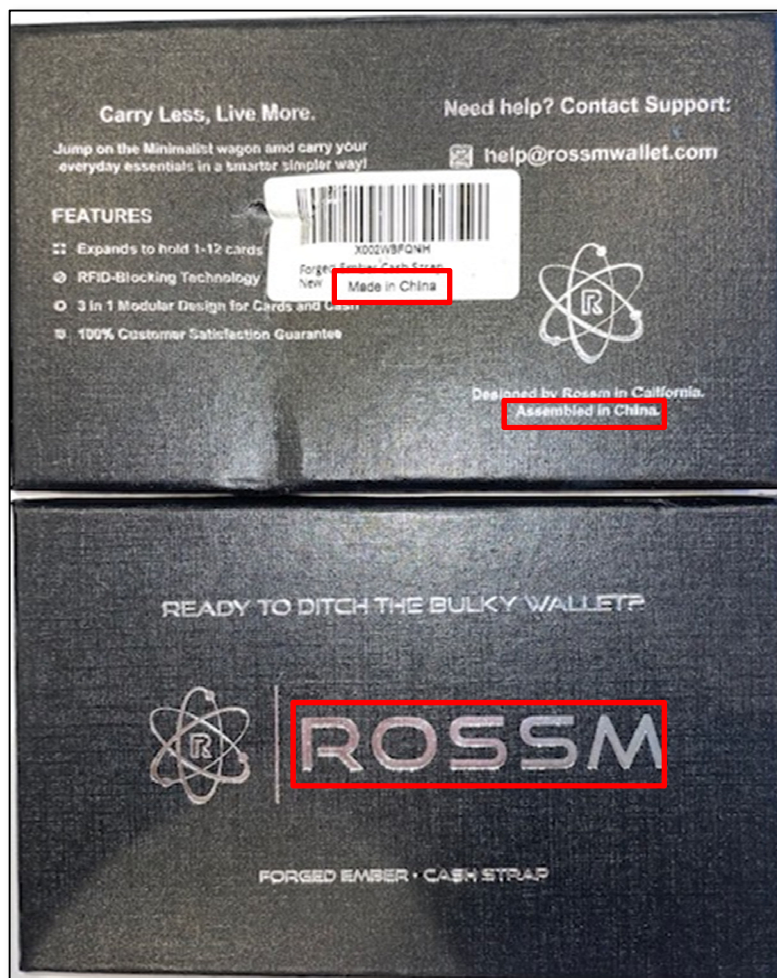


Exhibit 32.

**b. Respondent Mosaic**

98. Upon information and belief, Respondent imports, sells for importation, and/or sells within the United States after importation the Accused Products.

99. Upon information and belief, the Accused Products are currently being sold from online websites, such as Amazon, in the United States. *See* Exhibits 2, 19, 28. At present, Ridge is unable to quantify the volume of imports, of sales for importation, and of sales after importation of the Accused Products in the United States. Ridge is aware that the number of websites in the United States that sell the Accused Products has increased.

100. Ridge purchased an Accused Product. On information and belief, the product is “Made in China” and thus must be imported into the United States for sale.

101. The picture below was taken by counsel for Complainant from Mosaic’s Amazon marketplace. The image shows a representative example of the product information on Amazon.com for the Accused Products made in China:

Product information	
Product Dimensions	3.4 x 2.1 x 0.5 inches
Item Weight	2.1 ounces
Department	Unisex-adult
Manufacturer	Mosaic Brands Inc.
ASIN	B08K4RS65X
Country of Origin	China
Item model number	XL00050 engraved
Customer Reviews	★★★★★ 1 rating 5.0 out of 5 stars
Best Sellers Rank	#2,513,143 in Clothing, Shoes & Jewelry (See Top 100 in Clothing, Shoes & Jewelry) #9,285 in Men's Wallets
Is Discontinued By Manufacturer	No

Exhibit 33.

c. **Respondent INSGG**

102. Upon information and belief, Respondent imports, sells for importation, and/or sells within the United States after importation the Accused Products.

103. Upon information and belief, the Accused Products are currently being sold from online websites, such as Amazon, in the United States. *See Exhibit 3.* At present, Ridge is unable to quantify the volume of imports, of sales for importation, and of sales after importation of the Accused Products in the United States. Ridge is aware that the number of websites in the United

States that sell the Accused Products has increased.

104. Ridge purchased an Accused Product on the packaging in which it arrived, it plainly states “MADE IN CHINA” and thus must be imported into the United States for sale.

105. The picture below was taken by counsel for Complainant from an order actually placed by Counsel for Complainant. The image shows a representative example of the receipt for the Accused Products made in China:



Exhibit 34. *See also*, Exhibit 38.

**d. Respondent SWZA**

106. Upon information and belief, Respondent imports, sells for importation, and/or sells within the United States after importation the Accused Products.

107. Upon information and belief, the Accused Products are currently being sold from online websites in the United States. *See* Exhibits 4, 29. At present, Ridge is unable to quantify the volume of imports, of sales for importation, and of sales after importation of the Accused



Products in the United States.

108. Ridge purchased an Accused Product. On the packaging it plainly states “Made in China” and thus must be imported into the United States for sale.

109. The picture below was taken by counsel for Complainant on a package actually received by Counsel for Complainant. The image shows a representative example of the packaging for the Accused Products made in China:



Exhibit 35.

**e. Respondent ARW**

110. Upon information and belief, Respondent imports, sells for importation, and/or sells within the United States after importation the Accused Products.

111. Upon information and belief, the Accused Products are currently being sold from online websites in the United States. *See* Exhibits 5, 30, 31. At present, Ridge is unable to quantify the volume of imports, of sales for importation, and of sales after importation of the Accused Products in the United States.



112. Ridge purchased an Accused Product. On the packaging it plainly states “Made in China” and thus must be imported into the United States for sale.

113. The picture below was taken by counsel for Complainant on a package actually received by Counsel for Complainant. The image shows a representative example of the packaging for the Accused Products made in China:



Exhibit 36.

## **VII. THE RIDGE WALLET’S DOMESTIC INDUSTRY**

114. A domestic industry exists in the United States in accordance with 19 U.S.C. § 1337 (a)(1)(A) with respect to the articles protected by the Ridge Forged Ember Trade Dress.

115. A domestic industry, as defined by 19 U.S.C. § 1337(a)(2), exists with respect to Ridge’s activities in the United States related to articles protected by the ’808 Patent by reasons of Ridge’s (a) significant investment in plant and equipment, (b) significant employment of labor and capital, and (c) substantial investment in the exploitation of engineering activities, research and development activities, licensing, design quality control, and product support.

### **a. Technical Prong**

**i. The Ridge Wallet Embodies At Least One Claim Of the '808 Patent**

116. Ridge sells within the United States compact wallets that are used by Ridge and its customers. First, all of Ridge's wallets offered for sale practice the Asserted Claim of the '808 Patent, including, but not limited to, The Ridge Wallet regardless of design style.

117. An exemplary claim chart demonstrating how Ridge's domestic products are covered by at least claims 1 and 14 of the '808 Patent is attached as Exhibit 39. Because these products practice at least one claim of each of the '808 Patent, they satisfy the requirements of 19 U.S.C. § 1337(a)(B)(ii).

**b. Economic Prong**

118. Ridge has made, and continues to make, substantial investments in the United States to create and support the Ridge Wallet, which embodies the '808 Patent, and therefore is the Domestic Industry Product.

119. A domestic industry, under subparts (A), (B), and/or (C) or Section 337(a)(3) exists by virtue of Ridge's significant domestic investment in facilities and labor and/or substantial investment in U.S. exploitation of the '808 Patent, including through research, development, and marketing and advertising of the Domestic Industry Product (the Ridge Wallet).

120. Ridge has made, and continues to make, a significant investment in its employees involved in the Domestic Industry Product in the United States. Ridge employees are involved in research and development, product support, sales, technical services, marketing, customer support, among other things, for the Domestic Industry Product in the United States.

121. The Declaration of Ridge CEO, Sean Frank (Exhibit 8) further describes the activities that confirm that Ridge has established a domestic industry in the United States with respect to the Ridge Wallet.

## **VIII. INJURY TO DOMESTIC INDUSTRY**

122. Ridge hereby incorporates Section III.A by way of reference.

123. Respondents' unlawful importation and sale of the Accused Products has the threat or effect of causing substantial injury to the domestic industry, at least by reason of the ability of the Accused Products to undersell The Ridge Wallet combined with its demonstrated intention to penetrate the United States market, and harm to Ridge's goodwill and business reputation.

124. The Accused Products have the ability to undersell The Ridge Wallet. The Accused Products are offered for sale at a lower price point than The Ridge Wallet, and, because Ridge's wallets and the Accused Products are both compact wallets, consumers who associate the Accused Products with the Ridge's brand may choose to purchase the less expensive alternative presented by the Accused Products, thereby depriving Ridge of sales.

125. Respondents' importation and sale of the Accused Products is likely to harm Ridge's goodwill and business reputation. Ridge has invested heavily in use of the Ridge IP to build the Ridge brand and relies on the continued distinctiveness of the Ridge IP to identify Ridge wallets to consumers. Ridge has spent tens of millions of dollars in marketing to cultivate its brand image. Ridge, however, cannot control its brand image once the Accused Products are associated with it. Loss of control over its patent rights and trade dress harms Ridge's goodwill and reputation because it permits Accused Products to be built to standards and specifications other than Ridge's.

126. Consumers who associate the Accused Products with Ridge's brand will mistakenly attribute to Ridge defects or negative impressions that they develop respecting the Accused Products, thereby harming Ridge's reputation and the intangible goodwill associated with its brand. There is a substantial threat that consumers will perceive the Accused Products as having quality issues, as not being as durable and dependable as expected for Ridge brand wallets, or as

simply not worth the price being charged for them. These factors will result in a negative consumer impression of the Ridge brand that can lead to lost sales and diminishment of the value of Ridge's substantial investment in its United States presence and brand perception.

## **IX. HARMONIZED TARIFF SCHEDULE INFORMATION**

127. On information and belief, the articles subject to this Complaint are classified under at least the following headings and subheadings of the Harmonized Tariff Schedule ("HTS") of the United States: 7616.99.5190; 8108.90.3060; 8205.40.0000. *See* Exhibit 40. These HTS numbers are illustrative only and are not intended to restrict the scope of this investigation or any exclusion order or other remedy ordered by the Commission.

## **X. RELATED LITIGATION**

### **a. Respondent RossM**

128. Ridge and RossM do not have any related litigation, including litigation relating to Ridge's Trade Dress and the '808 Patent.

### **b. Respondent Mosaic**

129. Mosaic filed a complaint on May 20, 2020 against Ridge in the U.S. District Court for the Central District of California asserting infringement of Mosaic's trade dress and U.S. Patent No. 7,334,616 (the "'616 Patent"). *See Mosaic Brands, Inc. v. The Ridge Wallet LLC*, Case No. 2:20-cv-04556-AB-JC (C.D. Cal.). Subsequently, Ridge answered the complaint and filed counterclaims against Mosaic and third party LE Holdings, LLC and JGL Enterprises Inc. for infringement of the '808. *Id.* The district court opined ultimately that the '616 patent was not infringed, Mosaic's trade dress was invalid, and the '808 Patent was invalid. The parties appealed to the Court of Appeals for the Federal Circuit.

130. On December 20, 2022, the Court of Appeals for the Federal Circuit affirmed the

district court's claim construction and its dismissal of Mosaic's claim that Ridge infringes the '616 patent. *See Mosaic Brands, Inc. and LE Holdings, LLC and JGL Enterprises Inc. v. The Ridge Wallet LLC*, Case No. 2022-1001, 2022-1002 (Fed. Cir). Finding genuine dispute of fact, the court reversed the grant of summary judgment of invalidity of Ridge's '808 patent, and vacated the district court's denial of summary judgment on Mosaic's inequitable conduct defense. *Id.* Finally, the court affirmed the district court's grant of summary judgment that Mosaic's trade dress is invalid. *Id.*

131. Aside from the above-mentioned parallel district court and Federal Circuit matters, Ridge has not previously litigated the '808 Patent and Ridge Trade Dress before any other court or agency.

**c. Respondent INSGG**

132. Ridge and INSGG do not have any related litigation, including litigation relating to Ridge's Trade Dress and the '808 Patent.

**d. Respondent SWZA**

133. Ridge and SWZA do not have any related litigation, including litigation relating to Ridge's Trade Dress and the '808 Patent.

**e. Respondent ARW**

134. Ridge and ARW do not have any related litigation, including litigation relating to Ridge's Trade Dress and the '808 Patent.

**XI. RELIEF REQUESTED**

135. WHEREFORE, by reason of the foregoing, Complainant The Ridge Wallet LLC respectfully requests that the United States International Trade Commission:

a.) Institute an investigation pursuant to Section 337 of the Tariff Act of 1930, as

amended, 19 U.S.C. § 1337, with respect to Respondents' violations of that section based on the importation into the United States, sale for importation, and/or the sale within the United States after importation of Respondents' Accused Products that infringe Ridge intellectual property;

- b.) Set a target date of no more than fifteen months;
- c.) Schedule and conduct a hearing on permanent relief pursuant to 19 U.S.C. § 1337(c) for the purposes of receiving evidence and hearing argument concerning whether there has been a violation of Section 337, and following the hearing, to determine that there has been a violation of Section 337;
- d.) Issue cease and desist orders, pursuant to 19 U.S.C. § 1337(f), prohibiting Respondents and their related companies or divisions from conducting any of the following activities in the United States: importing, selling, marketing, advertising, distributing, transferring, and/or soliciting U.S. agents or distributors for, Accused Products that infringe or dilute Ridge Intellectual Property;
- e.) Issue a limited exclusion order, pursuant to 19 U.S.C. § 1337(d) forbidding entry into the United States of Respondents' Accused Products that infringe or dilute the Ridge IP;
- f.) Issue a general exclusion order, pursuant to 19 U.S.C. § 1337(d)(2) forbidding entry into the United States such infringing products regardless of the source of origin;
- g.) Impose a bond upon importation of Respondents' Accused Products that infringe one or more claims of the '808 Patent during the 60-day Presidential review period pursuant to 19 U.S.C. § 1337(j);

- h.) Issue such other and further relief as the Commission deems just and proper under the law, based upon the facts determined by the investigation and the authority of the Commission.

Dated: February 3, 2023

Respectfully submitted,

/s/ Benjamin E. Weed

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***Attorneys for Complainant***

***The Ridge Wallet LLC***

### **VERIFICATION OF COMPLAINT**

I, Benjamin E. Weed, declare, in accordance with 19 C.F.R. §§ 210.4 and 210.12(a), as follows:

1. I am counsel to The Ridge Wallet LLC, and I am duly authorized to sign this Complaint;
2. I have read the Complaint, and I am aware of its contents;
3. The Complaint is not being presented for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation;
4. To the best of my knowledge, information, and belief founded upon reasonable inquiry, the claims and legal contentions of the Complaint are warranted by existing law or a non-frivolous argument for the extension, modification, or reversal of existing law or the establishment of new law; and
5. The allegations and other factual contentions made in the Complaint have evidentiary support or are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 3<sup>rd</sup> day of February 2023, in Chicago, IL.

Respectfully submitted,

/s/ Benjamin E. Weed

Benjamin E. Weed

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