

June 8, 2021

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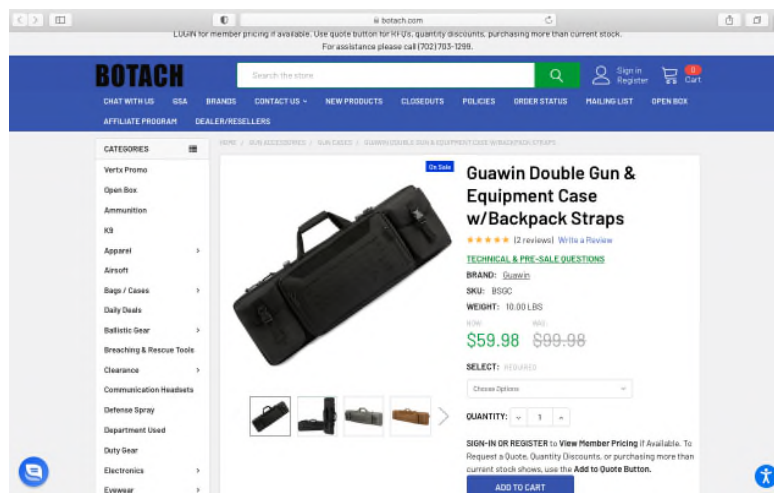
VIA FEDERAL EXPRESS, FAX and EMAIL

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RE: U.S. Patent No. D893,180
Notification of Patent Infringement
Demand to Cease & Desist

Our firm represents Zijiang Yang (“Yang”) in his intellectual property and related matters. Yang is the owner of certain intellectual property rights regarding rifle and safety accessories, including U.S. Design Patent Number D893,180 (“the Yang Patent”) (attached for your convenience) and related trade-dress rights. Our client has expended considerable time and sums of money to establish and maintain its valuable business and intellectual property rights.

It has recently come to Yang’s attention that you are making, using, selling, and/or offering for sale, products (“the Accused Products”) that Yang believes fall within the claim of the Yang Patent. At least one listing on your website offers one of the Accused Product for sale:



LEECH TISHMAN FUSCALDO & LAMPL, INC.

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250 Park Avenue, 7th Floor, New York, NY 10177
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Although we trust that you will respect the intellectual property rights of our client, and we look forward to resolving this matter amicably in order to avoid unnecessary legal action and excessive litigation costs, please be advised that Yang has authorized us to take all appropriate legal steps to protect his rights.

As you have now learned of Yang's claim, you have an ongoing legal duty to preserve all materials and evidence that may be relevant to those claims. These materials and evidence include, but are not limited to, letters, emails, text messages, advertising, websites and webpages, books and financial records, and other documents relating to, or showing, the Accused Products, their sale or offer for sale, and all other relevant materials, without time limits. You are required to take steps to prevent the spoliation of evidence. If you are taking down webpages or websites related in any way to the Accused Products, you are required to maintain copies of the webpages and websites as they existed prior to the changes. In litigation, if it becomes necessary for you to produce evidence in discovery and you fail to do so, it will be presumed that any destruction was intentional, in violation of your duty to preserve evidence.

In order to resolve the matter, on behalf of Yang, we demand that you immediately cease all sales, marketing, advertising, offers for sale, use and manufacture of the Accused Products, and any other product that also infringes the Yang Patent. We must also insist that you immediately recall all infringing products that you have sold or shipped to any of your distributors and/or retailers. In addition to the above, we must insist that you provide us with an accounting of the total volume of infringing products you have sold or otherwise distributed within the United States, to whom you have sold them, and your gross and net sales related to those products. Once you have satisfied these obligations, we will consider my client's settlement position with respect to your infringement of his patent.

We require a response and commitment within five (5) days from the date of this letter. Failing a satisfactory response and resolution, we will take all appropriate legal steps to protect Yang's rights.

Your conduct exposes you to very serious liabilities, including damages and attorney fees if our client has to bring legal action to enforce his rights. You may contact me at 424.738.4400 x329, or iposey@leechtishman.com if you have any questions.

Very truly yours,

LEECH TISHMAN FUSCALDO & LAMPL, INC.



Ivan Posey

enc.

cc: client

(12)
United States Design Patent
Yang

(10) Patent No.:
US D893,180 S

(45) Date of Patent:
** Aug. 18, 2020

(54) RIFLE CASE

(71) Applicant:
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(73) Assignee:
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(**) Term:
15 Years

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29/677,193

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(51) LOC (12) Cl.
03-01

(52) U.S. Cl.
USPC
D3/262

(58) Field of Classification Search
USPC
D3/201, 221–223, 254, 262, 273, 276
See application file for complete search history.

(56)
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Primary Examiner — Mitchell I. Siegel

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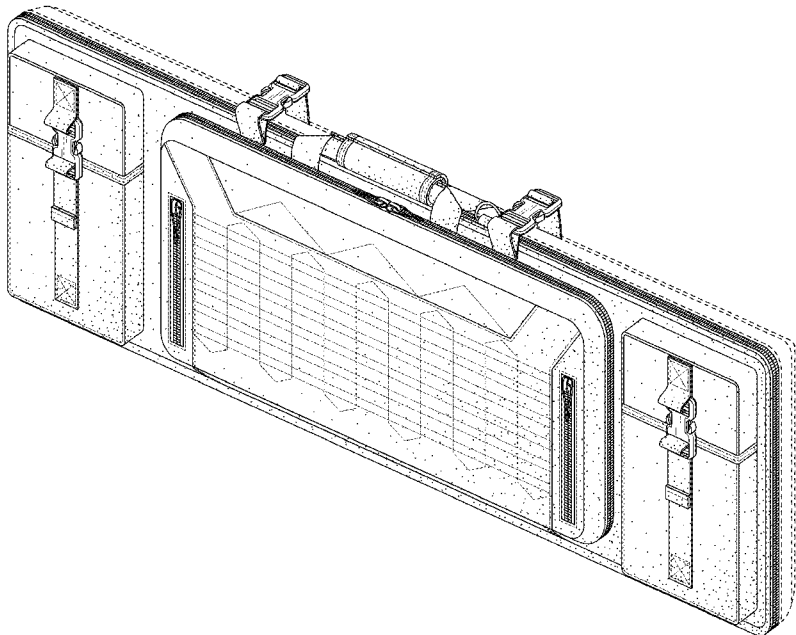
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CLAIM

I claim the ornamental design of a rifle case, as shown and described.

DESCRIPTION

FIG. 1 is a front-top-right perspective view of the rifle case; FIG. 2 is a front elevational view of the rifle case of FIG. 1; FIG. 3 is a back elevational view of the rifle case of FIG. 1; FIG. 4 is a left-side elevational view of the rifle case of FIG. 1; FIG. 5 is a right-side elevational view of the rifle case of FIG. 1; FIG. 6 is a top elevational view of the rifle case of FIG. 1; and, FIG. 7 is a bottom elevational view of the rifle case of FIG. 1. The broken lines shown are included for the purpose of illustrating unclaimed subject matter and forms no part of the claimed design.

1 Claim, 6 Drawing Sheets



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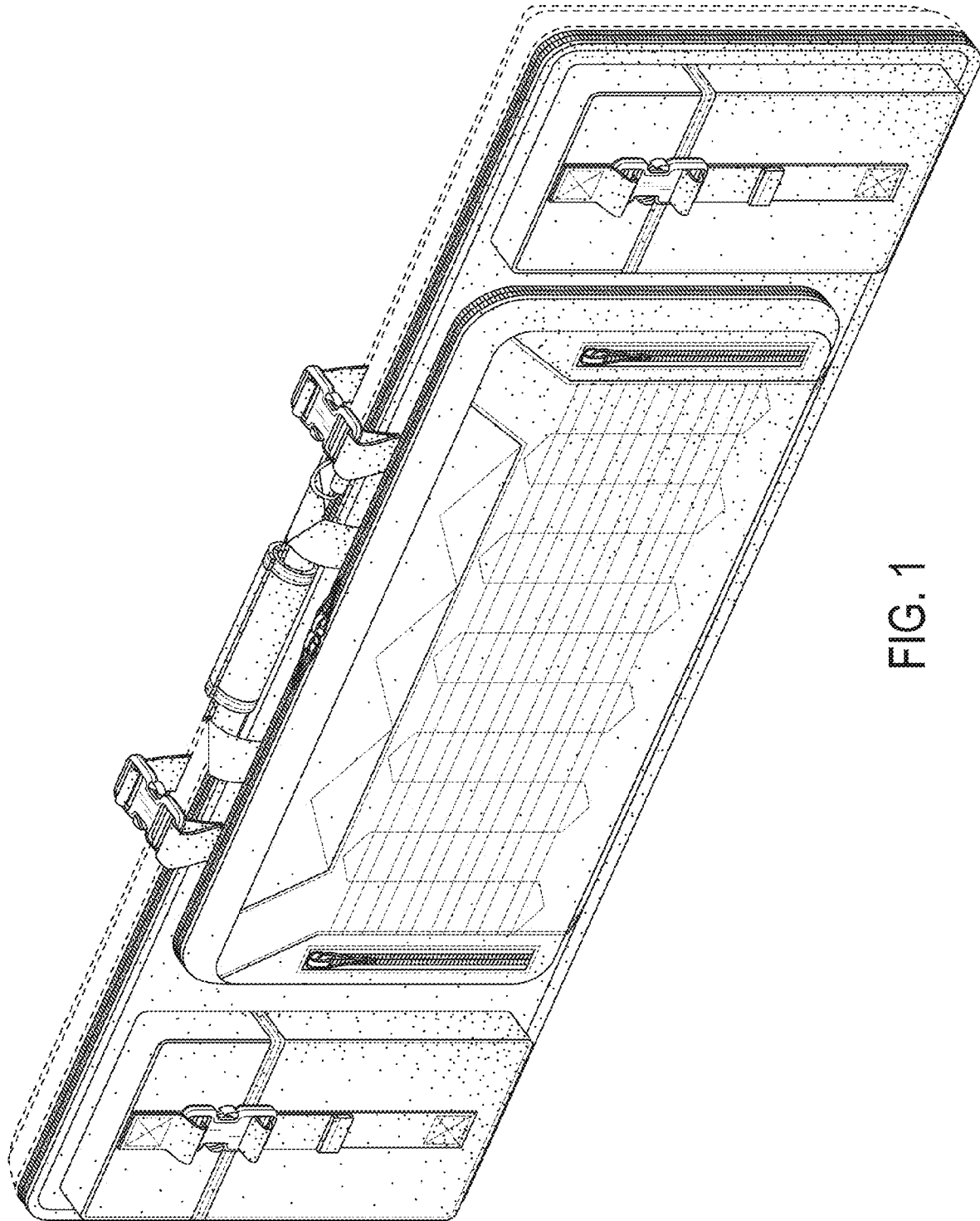


FIG. 1

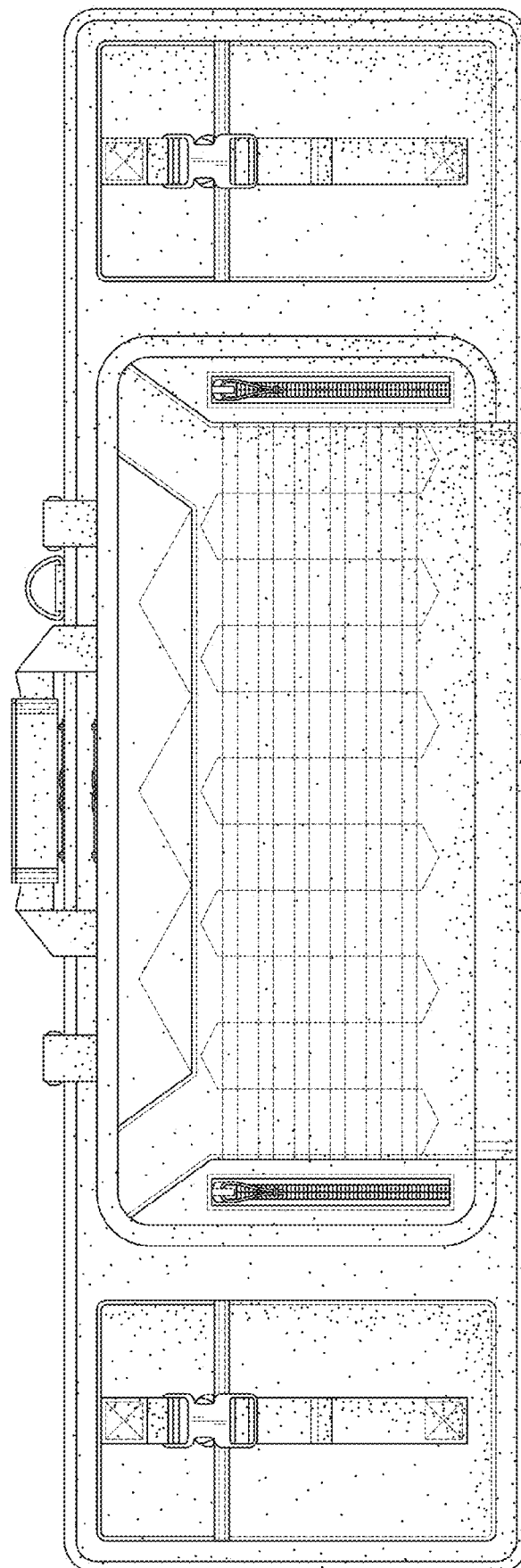


FIG. 2

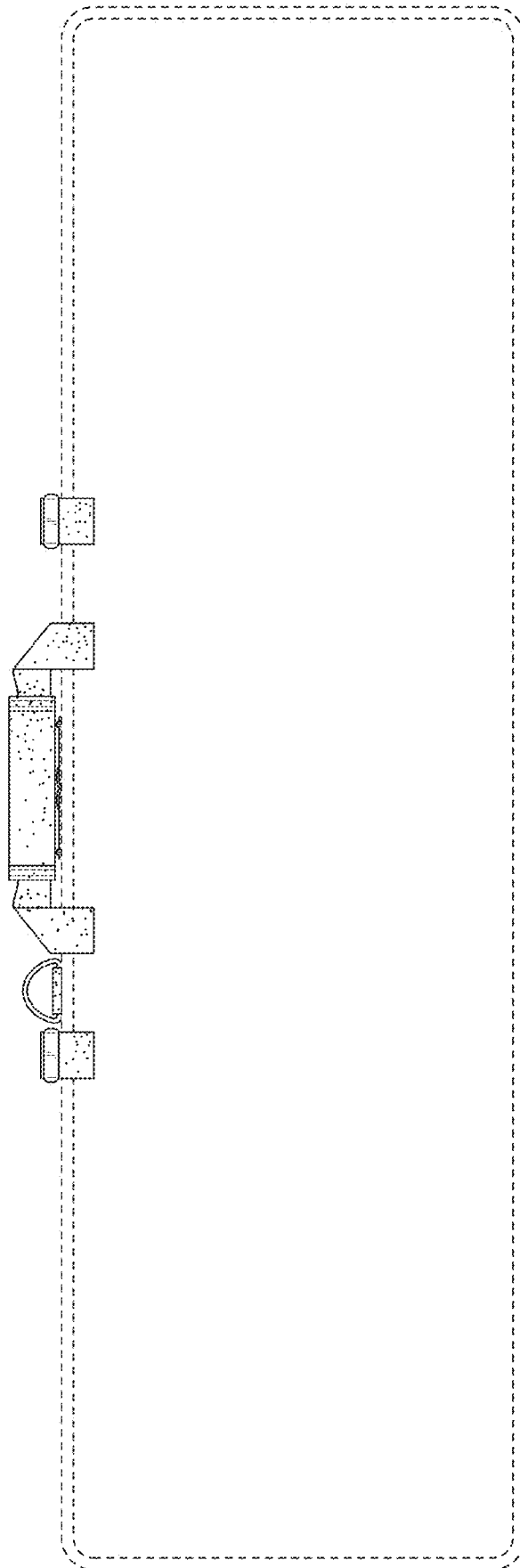


FIG. 3

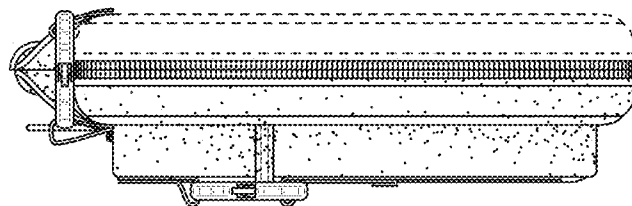


FIG. 5

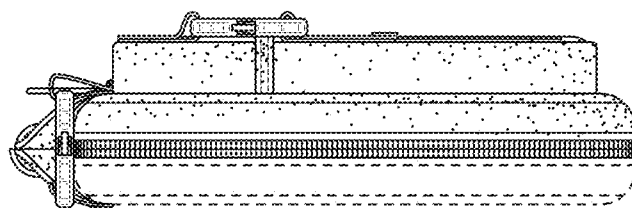


FIG. 4

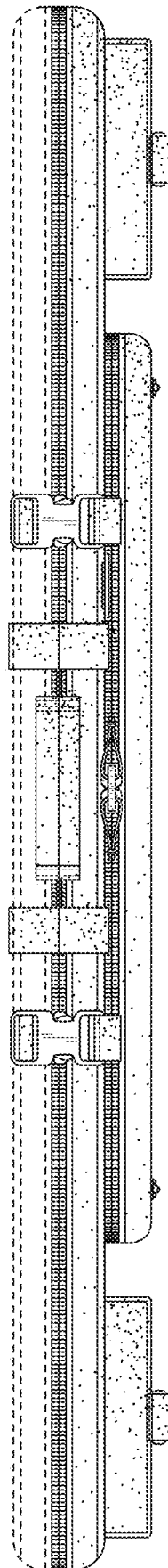


FIG. 6

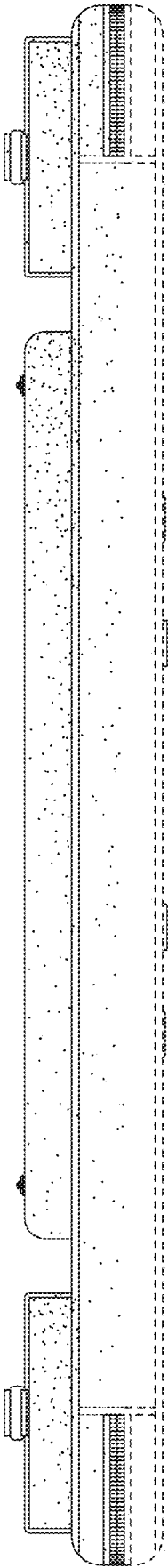


FIG. 7