

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

DURA-LITE HEAT TRANSFER PRODUCTS LTD., a Canadian corporation,
GLACIER RADIATOR MANUFACTURING LTD., a Canadian corporation, and
PHILIP LESAGE, an individual,

Plaintiffs,

v.

ZHEJIANG YINLUN MACHINERY CO., LTD,
a Chinese company, and
YINLUN USA, INC., an Illinois corporation,

Defendants.

Civil Action No. _____

DEMAND FOR JURY TRIAL

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiffs, Dura-Lite Heat Transfer Products Ltd. (“Dura-Lite”), Glacier Radiator Manufacturing Ltd. (“Glacier”), and Philip Lesage (“Lesage”), for their complaint against Defendants Zhejiang Yinlun Machinery Co., Ltd. (“Zhejiang Yinlun”) and Yinlun USA, Inc. (“Yinlun USA”), state as follows:

PARTIES AND NATURE OF ACTION

1. Plaintiff Dura-Lite is a company organized and existing under the laws of Canada, with a principal place of business at 12012 44th Street S.E., Calgary, Alberta T2Z 4A2, Canada. Dura-Lite sells heat exchangers throughout the United States.

2. Plaintiff Glacier is a company organized and existing under the laws of Canada, with a principal place of business at 1773 Con. 3 R.R. 1, Palgrave, Ontario L0N 1P0, Canada.

3. Plaintiff Lesage is a citizen of Canada and resides at 1773 Con. 3 R.R. 1, Palgrave,

Ontario L0N 1P0, Canada.

4. On July 10, 2012, U.S. Patent No. 8,215,015 (the '015 patent) entitled "Method of Forming a Modular Heat Exchanger having a Brazed Core" was duly and legally issued by the United States Patent & Trademark Office. Plaintiff Lesage is a named inventor of the '015 patent and is the owner of all right, title, and interest in the '015 patent. A true copy of the '015 patent is attached as Exhibit A.

5. On October 30, 2012, U.S. Patent No. 8,296,948 (the '948 patent) entitled "Method of Forming a Modular Heat Exchanger having a Brazed Core" was duly and legally issued by the United States Patent & Trademark Office. Plaintiff Lesage is a named inventor of the '948 patent and is the owner of all right, title, and interest in the '948 patent. A true copy of the '948 patent is attached as Exhibit B.

6. Lesage is the owner of the '015 patent and the '948 patent.

7. Glacier is the exclusive licensee, with the right to sub-license, from Lesage under the '015 patent and the '948 patent for the right to make, use, sell, offer to sell, and import heat exchangers in the United States.

8. Dura-Lite is the exclusive sub-licensee from Glacier under the '015 patent and the '948 patent for the right to make, use, sell, offer to sell, and import aluminum heat exchangers, including aluminum charged air coolers, in the United States.

9. Defendant Zhejiang Yinlun Machinery Co., Ltd. is a Chinese company, with a principal place of business at Communications & Transportation Machinery Industrial Park, Tiantai County, Zhejiang 317200, China. Defendant Zhejiang Yinlun manufactures automotive products in China that are shipped to customers in the United States.

10. Defendant Yinlun USA, Inc., upon information and belief, is a corporation

organized under the laws of the State of Illinois and having a place of business at 77 Commerce Drive, Morton, Illinois 61550. Upon information and belief Yinlun USA is a related entity and wholly owned subsidiary of Zhejiang Yinlun. Upon information and belief, Yinlun USA purchases heat exchanger products from Zhejiang Yinlun and resells them in the United States, including within this district.

11. Upon information and belief, Zhejiang Yinlun manufactures heat exchanger products including an aluminum charge air cooler that is sold to customers in the United States, including within this district, who sell the charge air cooler product using the name Ultra-Seal[®] (“Infringing Product”).

12. Upon information and belief, Defendants Zhejiang Yinlun and Yinlun USA sell the aluminum charge air cooler Infringing Product in the United States to at least Thermal Solutions Manufacturing, Inc. a Delaware corporation with a principal place of business at 15 Century Blvd., Suite 102, Nashville, TN 37214, and Vista-Pro Automotive LLC, a Delaware limited liability corporation with a principal place of business at 22 Century Blvd., Suite 410, Nashville, TN 37214. Thermal Solutions Manufacturing, Inc. and Vista-Pro Automotive LLC resell the aluminum charge air cooler Infringing Product.

13. The basis of this Complaint arises out of Defendants Zhejiang Yinlun’s and Yinlun USA’s unlawful and infringing sales, offers for sale, and/or importation of Infringing Product in the United States.

JURISDICTION AND VENUE

14. This is an action for patent infringement arising under the patent laws of the United States of America, Title 35 of the United States Code. This Court has subject matter jurisdiction over the matters pled herein under 28 U.S.C. §§ 1331 and 1338(a) in that this is a civil action

arising out of the patent laws of the United States of America.

15. As a result of Defendants Zhejiang Yinlun's and Yinlun USA's use, sale, offer for sale, and/or importation of at least the aluminum charge air cooler Infringing Product to at least Thermal Solutions Manufacturing, Inc. and Vista-Pro Automotive LLC in the State of Tennessee and this judicial district, Defendants Zhejiang Yinlun and Yinlun USA regularly and deliberately engaged in, and continue to engage in, activities that result in using, selling, offering for sale, and/or importing Infringing Products in and/or into the State of Tennessee and this judicial district. These activities violate the patent rights held by Plaintiffs in the '015 patent and the '948 patent. This Court has personal jurisdiction over Defendants Zhejiang Yinlun and Yinlun USA because, among other things, each Defendants Zhejiang Yinlun and Yinlun USA conduct business in the State of Tennessee and in this judicial district and thus enjoy the privileges and protections of Tennessee law.

16. Venue is proper in the Middle District of Tennessee pursuant to 28 U.S.C. §§ 1391(b), (c), and (d) and 28 U.S.C. § 1400(b).

COUNT I – PATENT INFRINGEMENT

17. Plaintiffs Dura-Lite, Glacier, and Lesage incorporate by reference all of the allegations from paragraphs 1 through 16, above, as if fully set forth herein.

18. Based upon the acts complained of herein, Defendants Zhejiang Yinlun and Yinlun USA have directly infringed the '015 patent in violation of 35 U.S.C. § 271(g) by importing into the U.S., and/or offering to sell, selling, and/or using in the U.S., a charge air cooler products including heat exchangers made by a process patented in the '015 patent. These heat exchangers include at least the Infringing Products sold as the Ultra-Seal[®] aluminum charge air cooler.

19. As a result of Zhejiang Yinlun's and Yinlun USA's importation into this district

and/or offer for sale, sale and/or use in this district, Plaintiff Dura-Lite has been damaged due to lost sales of aluminum charged air coolers. Plaintiffs are entitled to at least lost profits under 35 U.S.C. § 284 adequate to compensate for the infringing products imported into the U.S. and/or sold, offered for sale, and/or used in the U.S.

20. As a result of Zhejiang Yinlun's and Yinlun USA's infringement, the Plaintiffs are entitled to temporary and permanent injunctive relief under 35 U.S.C. § 283.

21. Upon information and belief, Zhejiang Yinlun has actual knowledge of the '015 patent and has elected to disregard the Plaintiffs' patent rights by importing, selling, offering for sale, and/or using infringing products, such infringement being willful, entitling the Plaintiffs to recover treble damages and attorneys' fees pursuant to 35 U.S.C. §§ 284 and 285.

COUNT II – PATENT INFRINGEMENT

22. Plaintiffs Dura-Lite Heat, Glacier, and Lesage incorporate by reference all of the allegations from paragraphs 1 through 21, above, as if fully set forth herein.

23. Based upon the acts complained of herein, Defendants Zhejiang Yinlun and Yinlun USA have directly infringed the '948 patent in violation of 35 U.S.C. § 271(g) by importing into the U.S., and/or offering to sell, selling, and/or using in the U.S., heat exchangers made by a process patented in the '948 patent. These heat exchangers include at least those sold as the Ultra-Seal[®] aluminum charge air cooler.

24. As a result of Zhejiang Yinlun's and Yinlun USA's importation into this district and/or offer for sale, sale and/or use in this district, Dura-Lite has been damaged due to lost sales of aluminum charged air coolers. Plaintiffs are entitled to at least lost profits under 35 U.S.C. § 284 adequate to compensate for the infringing products imported into the U.S. and/or sold, offered for sale, and/or used in the U.S.

25. As a result of Zhejiang Yinlun's and Yinlun USA's infringement, the Plaintiffs are entitled to temporary and permanent injunctive relief under 35 U.S.C. § 283.

26. Upon information and belief, Zhejiang Yinlun has actual knowledge of the '948 patent and has elected to disregard the Plaintiffs' patent rights by importing, selling, offering for sale, and/or using infringing products, such infringement being willful, entitling the Plaintiffs to recover treble damages and attorneys' fees pursuant to 35 U.S.C. §§ 284 and 285.

RELIEF REQUESTED

WHEREFORE, Plaintiffs, Dura-Lite, Glacier, and Lesage, request a judgment in their favor and against Defendants Zhejiang Yinlun and Yinlun USA and request that this Court:

- A. Order, adjudge, and decree that the '015 patent and the '948 patent are valid and enforceable;
- B. Order, adjudge, and decree that Defendants' importation of the Infringing Products infringes the Plaintiffs' rights in the '015 patent and the '948 patent;
- C. Issue a preliminary and a permanent injunction prohibiting Defendants, and all of its representatives, agents, servants, employees, related companies, successors and assigns, and all others in privity or acting in concert with it, from infringing any claim of the '015 patent and the '948 patent, including, but not limited to, further infringements by using, selling, offering to sell, and/or importing any heat exchanger that infringes any claim of the '015 patent and the '948 patent;
- D. Award damages for infringement of the '015 patent and the '948 patent;
- E. Declare this case as exceptional within the meaning of 35 U.S.C. § 285 and award Plaintiffs' attorneys' fees, costs, and expenses that it incurs in prosecuting this action; and

F. Provide any further relief as this Court may deem equitable and proper.

JURY DEMAND

The Plaintiffs demand trial by jury of all issues triable to a jury.

Dated: November 7, 2014

Respectfully submitted,

By: s/ C. Crews Townsend
C. Crews Townsend (TN #12274)
C. Celeste Creswell (TN #018305)
MILLER & MARTIN PLLC
832 Georgia Avenue, Suite 1000 Volunteer Building
Chattanooga, TN 37402-2289
Ph: (423) 756-6600
Fax: (423) 321-1571
ctownsend@millermartin.com
ccreswell@millermartin.com

and

Thomas E. Bejin (Mich. P56854)
Christopher M. Francis (Mich. P70736)
BEJIN BIENEMAN PLC
Pro Hac Vice Motions to be Filed
300 River Place, Suite 1650
Detroit, MI 48207
Ph: (313) 528-4882/Fax: (313) 528-6923
bejin@b2iplaw.com
francis@b2iplaw.com

*Attorneys for Plaintiffs Dura-Lite Heat Transfer
Products Ltd., Glacier Radiator Manufacturing Ltd.,
and Philip Lesage*

CIVIL COVER SHEET

The JS 44 civil coversheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Dura-Lite Heat Transfer Products Ltd., a Canadian corporation; Glacier Radiator Manufacturing Ltd., a Canadian corporation, and Philip Lesage, an individual

(b) County of Residence of First Listed Plaintiff Calgary, Alberta, Canada
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

C. Crews Townsend, Miller & Martin, PLLC, 832 Georgia Avenue, Suite 1000 Volunteer Building, Chattanooga, TN 37402 423/756-6600

DEFENDANTS

Zhejiang Yinlun Machinery Co., Ltd, a Chinese company, and Yinlun USA, Inc., an Illinois corporation

County of Residence of First Listed Defendant Zhejiang, China
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 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)

- | | | | | | |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES		
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<p>PERSONAL INJURY</p> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Med. Malpractice	<p>PERSONAL INJURY</p> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <p>PERSONAL PROPERTY</p> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes	
<p>REAL PROPERTY</p> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<p>CIVIL RIGHTS</p> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<p>PRISONER PETITIONS</p> <input type="checkbox"/> 510 Motions to Vacate Sentence <p>Habeas Corpus:</p> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<p>LABOR</p> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<p>PROPERTY RIGHTS</p> <input type="checkbox"/> 820 Copyrights <input checked="" type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<p>SOCIAL SECURITY</p> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<p>FEDERAL TAX SUITS</p> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609

V. 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)
- 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
35 U.S.C. 271 et. seq.

Brief description of cause:
Patent infringement arising under patent laws of U.S.

VII. REQUESTED IN COMPLAINT:

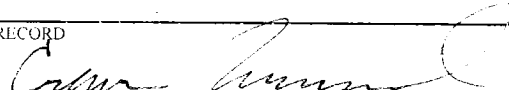
- CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23
- DEMAND \$
- CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE _____ DOCKET NUMBER _____

DATE: 11-7-14 SIGNATURE OF ATTORNEY OF RECORD:

C. Crews Townsend



FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

I. (a) Plaintiffs-Defendants. Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.

(b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

(c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

II. Jurisdiction. The basis of jurisdiction is set forth under Rule 8(a), F.R.C.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.

United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.

Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; federal question actions take precedence over diversity cases.)

III. Residence (citizenship) of Principal Parties. This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

IV. Nature of Suit. Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerks in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.

V. Origin. Place an "X" in one of the seven boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.

Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

Appeal to District Judge from Magistrate Judgment. (7) Check this box for an appeal from a magistrate judge's decision.

VI. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553
Brief Description: Unauthorized reception of cable service

VII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.

Demand. In this space enter the dollar amount (in thousands of dollars) being demanded or indicate other demand such as a preliminary injunction.

Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

VIII. Related Cases. This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

UNITED STATES DISTRICT COURT

for the

Middle District of Tennessee

Dura-Lite Heat Transfer Products Ltd., a Canadian corporation, Glacier Radiator Manufacturing Ltd. et al

Plaintiff

v.

Zhejiang Yinlun Machinery co., Ltd. a Chinese company, & Yinlun USA, Inc., an Illinois corporation

Defendant

)
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)
)
)
)

Civil Action No.

3-14 2185

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Yinlun USA, Inc. (wholly owned subsidiary of Zhejiang Yinlun)
77 Commerce Drive
Morton, Illinois 61550

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: C. Crews Townsend, Esq., Miller & Martin, PLLC, Suite 1000 Volunteer Building, 832 Georgia Avenue, Chattanooga, TN 37402

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

KEITH THROCKMORTON

CLERK OF COURT

[Handwritten signature]

Signature of Clerk or Deputy Clerk

Date: NOV 10 2014

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Middle District of Tennessee

Dura-Lite Heat Transfer Products Ltd., a Canadian corporation, Glacier Radiator Manufacturing Ltd. et al

Plaintiff

v.

Zhejiang Yinlun Machinery co., Ltd. a Chinese company, & Yinlun USA, Inc., an Illinois corporation

Defendant

Civil Action No.

3-14 2185

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Zhejiang Yinlun Machinery Co. Ltd. Communications & Transportation Machinery Industrial Park Tiantai County, Zhejiang 317200, China

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: C. Crews Townsend, Esq., Miller & Martin, PLLC, Suite 1000 Volunteer Building, 832 Georgia Avenue, Chattanooga, TN 37402

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

KEITH THROCKMORTON CLERK OF COURT

H. Boney

Signature of Clerk or Deputy Clerk

Date: NOV 10 2014

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

Court Name: U. S. District Court, MD/TN
Division: 3
Receipt Number: 34675033839
Cashier ID: ehawkins
Transaction Date: 11/10/2014
Payer Name: MILLER AND MARTIN PLLC

CIVIL FILING FEE
For: MILLER AND MARTIN PLLC
Case/Party: D-TNM-3-14-CV-002185-001
Amount: \$400.00

CHECK
Check/Money Order Num: 899923
Amt Tendered: \$400.00

Total Due: \$400.00
Total Tendered: \$400.00
Change Amt: \$0.00