

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

YETI Coolers, LLC,

Plaintiff,

v.

Rugged Road, LLC,

Defendant.

Civil Action No.

DEMAND FOR A JURY TRIAL

COMPLAINT

Plaintiff, YETI Coolers, LLC (“YETI”), for its Complaint against Rugged Road, LLC (“Rugged Road”), alleges as follows:

The Parties

1. YETI is a company organized and existing under the laws of the State of Delaware with a principal place of business at 7601 Southwest Parkway, Austin, TX 78735.

2. On information and belief, Rugged Road, LLC is a company organized and existing under the laws of the State of Georgia with a place of business at 4850 Peachtree Parkway, Duluth, GA 30097.

Jurisdiction and Venue

3. This is an action for patent infringement, trade dress infringement, trade dress dilution, unfair competition and false designation of origin, misappropriation,

and unjust enrichment. This action arises under the Patent Act, 35 U.S.C. § 1 *et seq.*; the Trademark Act of 1946, 15 U.S.C. § 1051, *et seq.* (“the Lanham Act”); the Georgia Uniform Deceptive Trade Practices Act; the Texas Business & Commerce Code; federal common law; and state common law, including the law of Georgia and the law of Texas.

4. This Court has subject matter jurisdiction over this action pursuant to at least 15 U.S.C. § 1121(a) and 28 U.S.C. §§ 1331, 1338(a) & (b), and 1367(a).

5. This Court has personal jurisdiction over Rugged Road because, *inter alia*, Rugged Road is a company organized and existing under the laws of the State of Georgia. This Court also has personal jurisdiction over Rugged Road because, *inter alia*, Rugged Road is purposefully and intentionally availing itself of the privileges of doing business in the State of Georgia, including in this District. Among other things, Rugged Road has a regular and established place of business in this District, Rugged Road has advertised, marketed, promoted, offered for sale, sold, distributed, manufactured, and/or imported, and continues to advertise, market, promote, offer for sale, sell, distribute, manufacture, and/or import infringing products to customers and/or potential customers, including in this District, and Rugged Road’s unlawful acts that give rise to this lawsuit and harm to YETI have occurred and are occurring in the State of Georgia, including in this District.

6. Venue is proper in this District pursuant to at least 28 U.S.C. §§ 1391(a)-(d) and 28 U.S.C. § 1400(b).

YETI's Intellectual Property

7. For years, YETI has continuously engaged in the design, development, manufacture, promotion, and sale of its Hopper® soft-sided coolers and drinkware products, including its 20 oz. Rambler® Tumblers, 30 oz. Rambler® Tumblers, 14 oz. Rambler® Mugs, 24 oz. Rambler® Mugs, 18 oz. Rambler® Water Bottles, 36 oz. Rambler® Water Bottles, and 64 oz. Rambler® Water Bottles. YETI has invested substantial resources into the research, design, and development of these products. YETI's research, design, and development have led to many innovative product designs and technologies, including designs and technologies at issue in this lawsuit.

8. For example, YETI owns U.S. Patent No. 10,981,716 (“the ’716 Patent”) related to an insulating device, U.S. Patent No. 11,186,422 (“the ’422 Patent”) related to an insulating device and method for forming an insulating device, and U.S. Patent No. 11,767,157 (“the ’157 Patent”) related to an insulating device. YETI also owns U.S. Design Patent No. D859,934 (“the ’934 Patent”), U.S. Design Patent No. D862,177 (“the ’177 Patent”), U.S. Design Patent No. D942,221 (“the ’221 Patent”), U.S. Design Patent No. D942,222 (“the ’222 Patent”), U.S. Design Patent No. D955,824 (“the ’824 Patent”), U.S. Design Patent No. D1,022,613 (“the

'613 Patent”), all related to insulating devices; U.S. Design Patent No. D882,343 (“the ’343 Patent”), U.S. Design Patent No. D899,862 (“the ’862 Patent”), U.S. Design Patent No. D1,011,842 (“the ’842 Patent”), all related to cups; U.S. Design Patent No. D909,818 (“the ’818 Patent”), U.S. Design Patent No. D911,779 (“the ’779 Patent”), both related to mugs; U.S. Design Patent No. D774,837 (“the ’837 Patent”), U.S. Design Patent No. D790,285 (“the ’285 Patent”), U.S. Design Patent No. D794,397 (“the ’397 Patent”), U.S. Design Patent No. D795,019 (“the ’019 Patent”), U.S. Design Patent No. D795,020 (“the ’020 Patent”), U.S. Design Patent No. D799,907 (“the ’907 Patent”), U.S. Design Patent No. D804,254 (“the ’254 Patent”), U.S. Design Patent No. D805,852 (“the ’852 Patent”), U.S. Design Patent No. D823,068 (“the ’068 Patent”), U.S. Design Patent No. D824,218 (“the ’218 Patent”), U.S. Design Patent No. D878,874 (“the ’874 Patent”), U.S. Design Patent No. D919,377 (“the ’377 Patent”), U.S. Design Patent No. D960,659 (“the ’659 Patent”), U.S. Design Patent No. D783,367 (“the ’367 Patent”), U.S. Design Patent No. D783,368 (“the ’368 Patent”), U.S. Design Patent No. D784,775 (“the ’775 Patent”), U.S. Design Patent No. D799,906 (“the ’906 Patent”), U.S. Design Patent No. D804,256 (“the ’256 Patent”), U.S. Design Patent No. D807,125 (“the ’125 Patent”), U.S. Design Patent No. D807,126 (“the ’126 Patent”), U.S. Design Patent No. D823,069 (“the ’069 Patent”), U.S. Design Patent No. D823,646 (“the ’646 Patent”), U.S. Design Patent No. D875,479 (“the ’479 Patent”), U.S. Design Patent

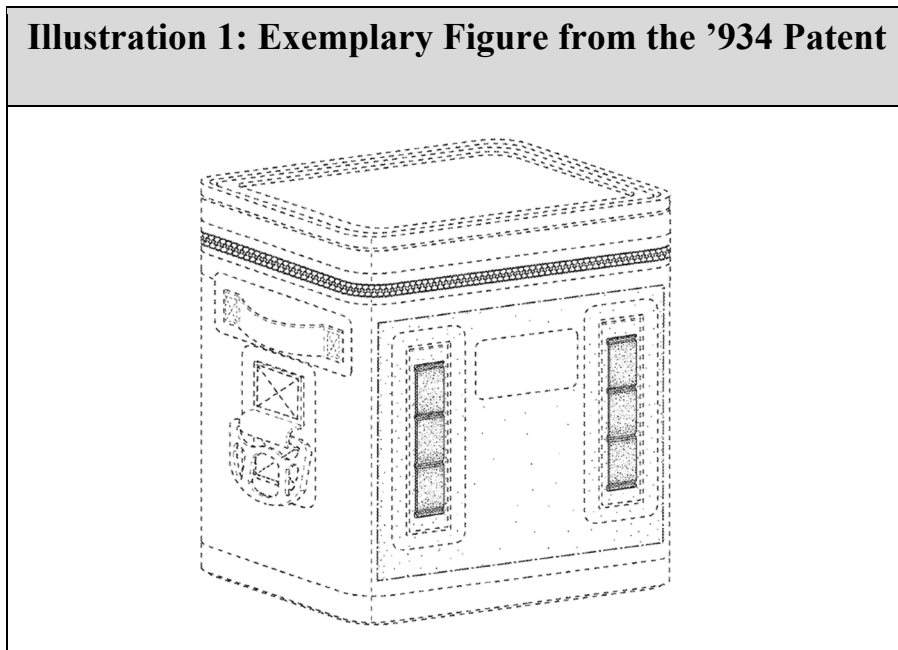
No. D899,870 (“the ’870 Patent”), U.S. Design Patent No. D941,638 (“the ’638 Patent”), U.S. Design Patent No. D960,661 (“the ’661 Patent”), U.S. Design Patent No. D774,363 (“the ’363 Patent”), U.S. Design Patent No. D781,662 (“the ’662 Patent”), U.S. Design Patent No. D782,881 (“the ’881 Patent”), U.S. Design Patent No. D788,544 (“the ’544 Patent”), U.S. Design Patent No. D799,908 (“the ’908 Patent”), U.S. Design Patent No. D803,632 (“the ’632 Patent”), U.S. Design Patent No. D804,255 (“the ’255 Patent”), U.S. Design Patent No. D819,410 (“the ’410 Patent”), U.S. Design Patent No. D820,650 (“the ’650 Patent”), U.S. Design Patent No. D872,542 (“the ’542 Patent”), U.S. Design Patent No. D889,913 (“the ’913 Patent”), U.S. Design Patent No. D922,152 (“the ’152 Patent”), and U.S. Design Patent No. D943,357 (“the ’357 Patent”), all related to bottles.

9. The ’716 Patent is titled “Insulating Device.” On April 20, 2021, the ’716 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the ’716 Patent. A copy of the ’716 Patent is attached as Exhibit 1.

10. The ’422 Patent is titled “Insulating Device and Method for Forming Insulating Device.” On November 30, 2021, the ’422 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the ’422 Patent. A copy of the ’422 Patent and a copy of the Certificate of Correction are attached as Exhibits 2 and 3, respectively.

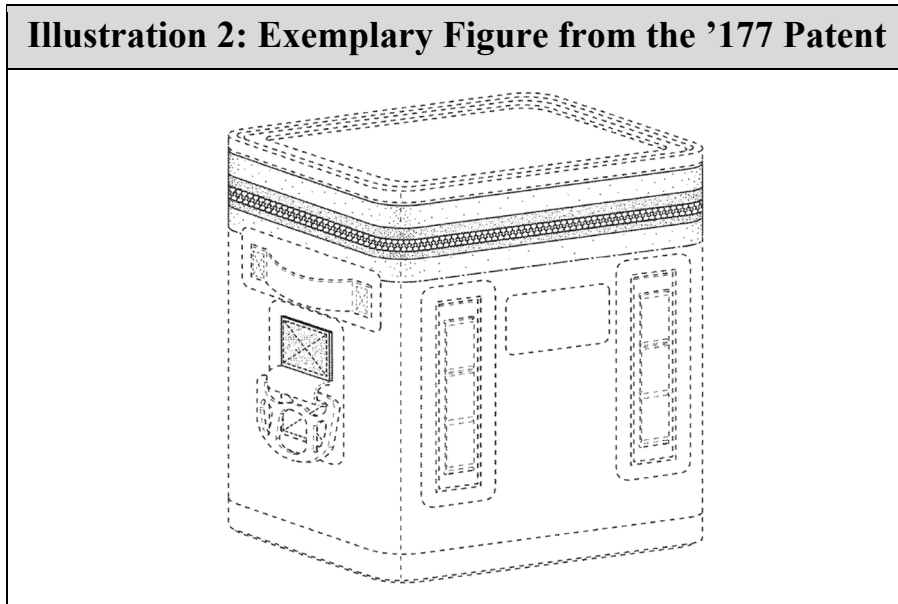
11. The '157 Patent is titled "Insulating Device" On September 26, 2023, the '157 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '157 Patent. A copy of the '157 Patent is attached as Exhibit 4.

12. The '934 Patent is titled "Insulating Device." On September 17, 2019, the '934 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '934 Patent. A copy of the '934 Patent is attached as Exhibit 5. An exemplary figure from the '934 Patent is shown in Illustration 1 below:



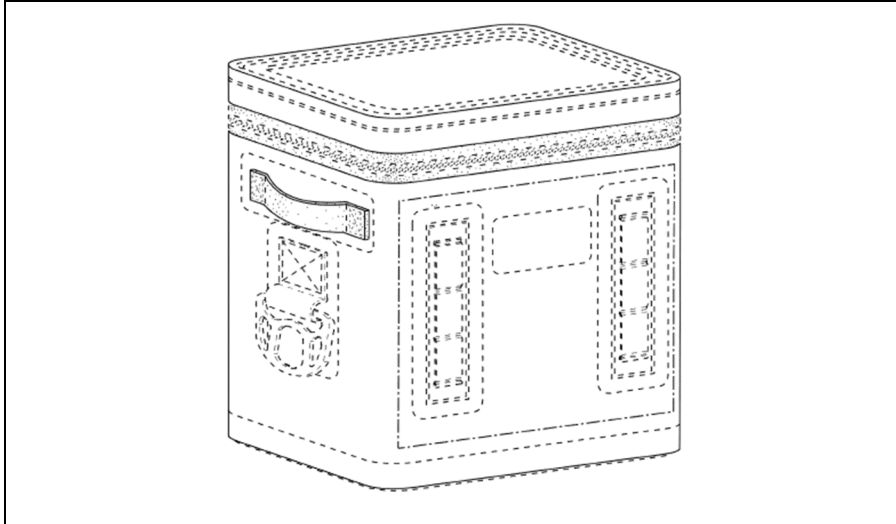
13. The '177 Patent is titled "Insulating Device." On October 8, 2019, the '177 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '177 Patent. A copy of the '177 Patent

is attached as Exhibit 6. An exemplary figure from the '177 Patent is shown in Illustration 2 below:



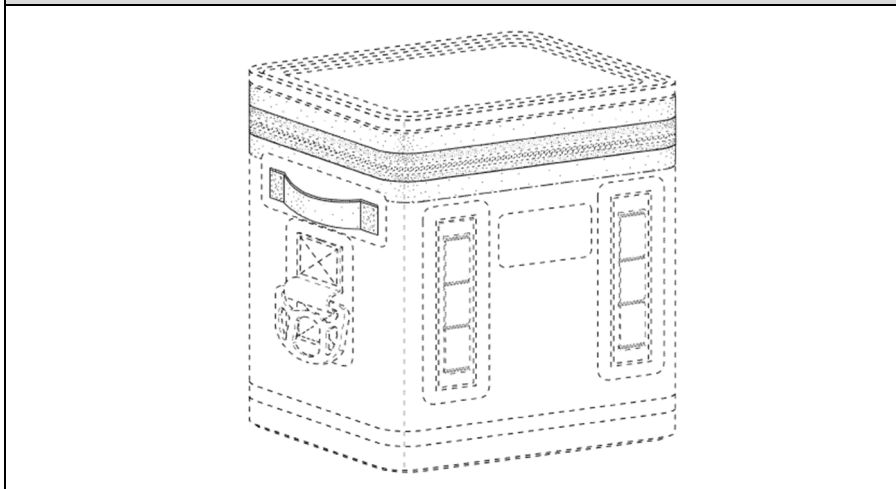
14. The '221 Patent is titled “Insulating Device.” On February 1, 2022, the '221 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '221 Patent. A copy of the '221 Patent is attached as Exhibit 7. An exemplary figure from the '221 Patent is shown in Illustration 3 below:

Illustration 3: Exemplary Figure from the '221 Patent

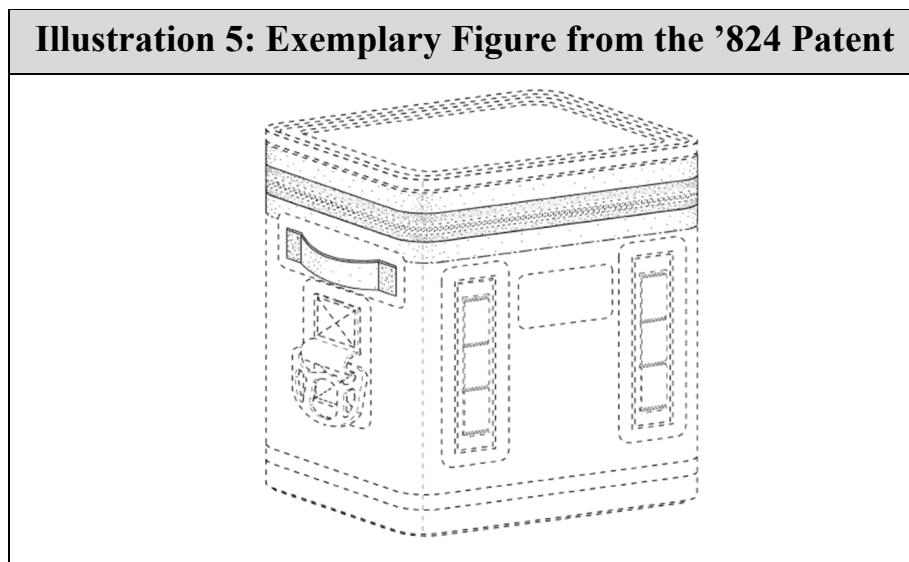


15. The '222 Patent is titled “Insulating Device.” On February 1, 2022, the '222 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '222 Patent. A copy of the '222 Patent is attached as Exhibit 8. An exemplary figure from the '222 Patent is shown in Illustration 4 below:

Illustration 4: Exemplary Figure from the '222 Patent

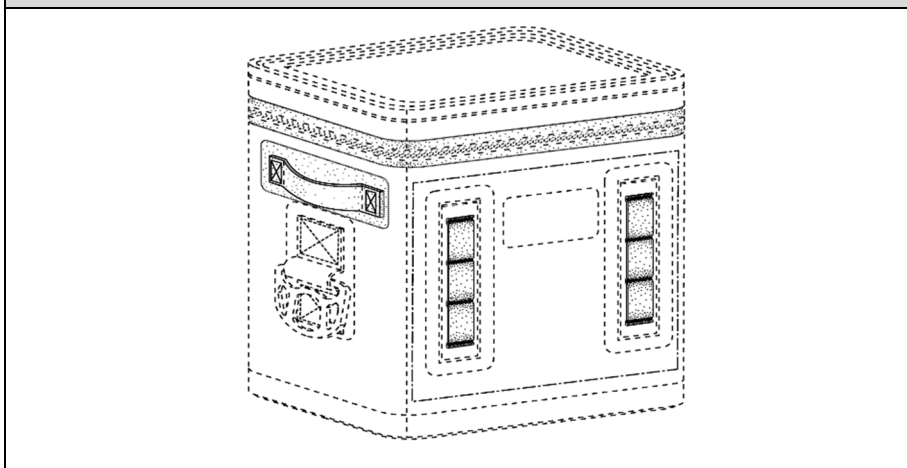


16. The '824 Patent is titled "Insulating Device." On February 1, 2022, the '824 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '824 Patent. A copy of the '824 Patent is attached as Exhibit 9. An exemplary figure from the '824 Patent is shown in Illustration 5 below:



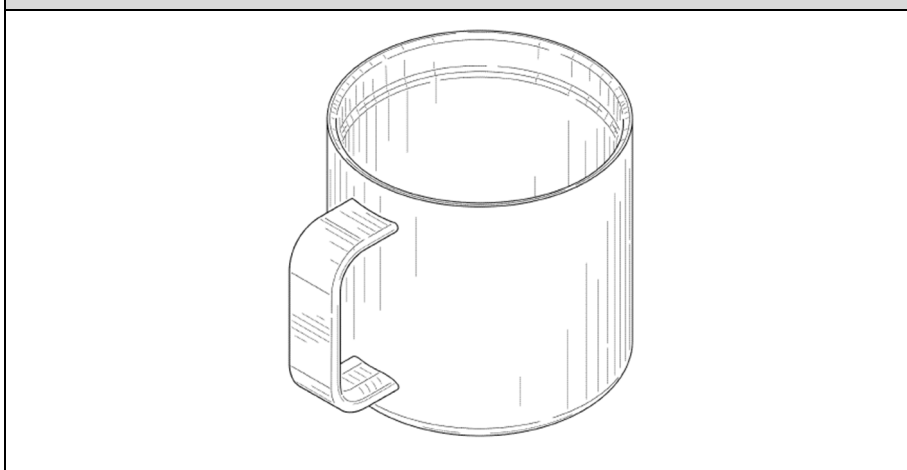
17. The '613 Patent is titled "Insulating Device." On April 16, 2024, the '613 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '613 Patent. A copy of the '613 Patent is attached as Exhibit 10. An exemplary figure from the '613 Patent is shown in Illustration 6 below:

Illustration 6: Exemplary Figure from the '613 Patent

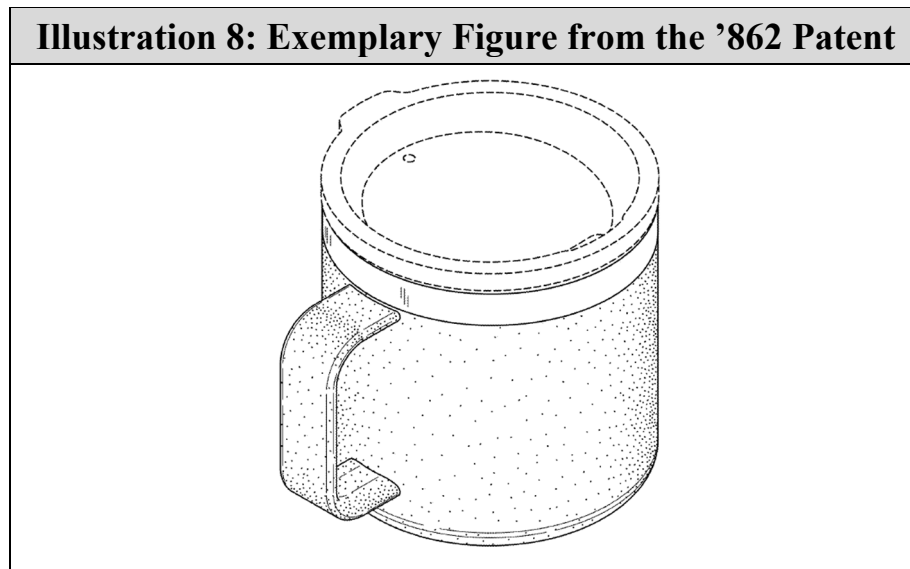


18. The '343 Patent is titled "Cup." On April 28, 2020, the '343 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '343 Patent. A copy of the '343 Patent is attached as Exhibit 11. An exemplary figure from the '343 Patent is shown in Illustration 7 below:

Illustration 7: Exemplary Figure from the '343 Patent

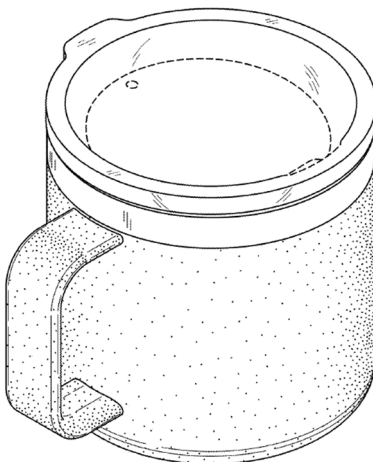


19. The '862 Patent is titled "Cup." On October 27, 2020, the '862 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '862 Patent. A copy of the '862 Patent is attached as Exhibit 12. An exemplary figure from the '862 Patent is shown in Illustration 8 below:



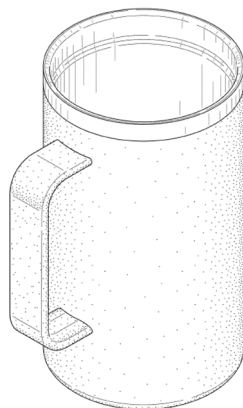
20. The '842 Patent is titled "Cup." On January 23, 2024, the '842 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '842 Patent. A copy of the '842 Patent is attached as Exhibit 13. An exemplary figure from the '842 Patent is shown in Illustration 9 below:

Illustration 9: Exemplary Figure from the '842 Patent

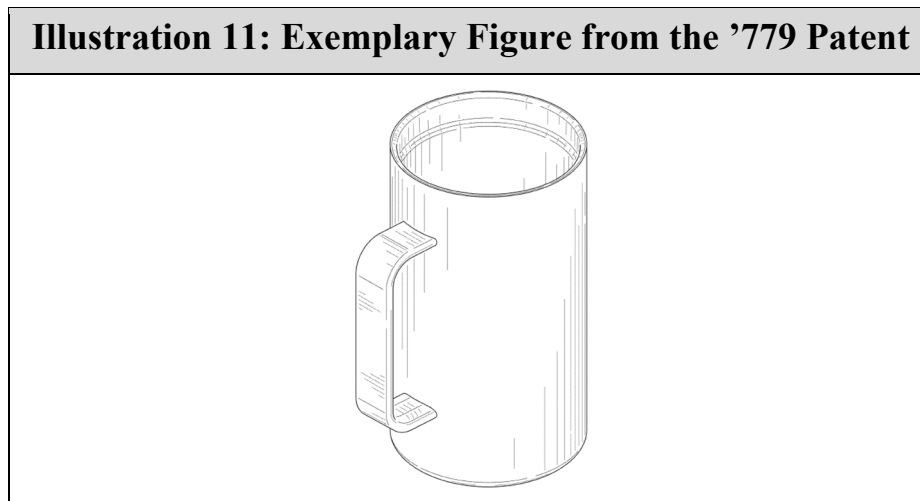


21. The '818 Patent is titled "Mug." On February 9, 2021, the '818 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '818 Patent. A copy of the '818 Patent is attached as Exhibit 14. An exemplary figure from the '818 Patent is shown in Illustration 10 below:

Illustration 10: Exemplary Figure from the '818 Patent

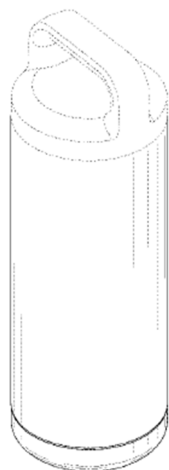


22. The '779 Patent is titled "Mug." On March 2, 2021, the '779 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '779 Patent. A copy of the '779 Patent is attached as Exhibit 15. An exemplary figure from the '779 Patent is shown in Illustration 11 below:



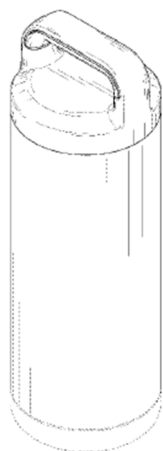
23. The '837 Patent is titled "Bottle." On December 27, 2016, the '837 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '837 Patent. A copy of the '837 Patent is attached as Exhibit 16. An exemplary figure from the '837 Patent is shown in Illustration 12 below:

Illustration 12: Exemplary Figure from the '837 Patent

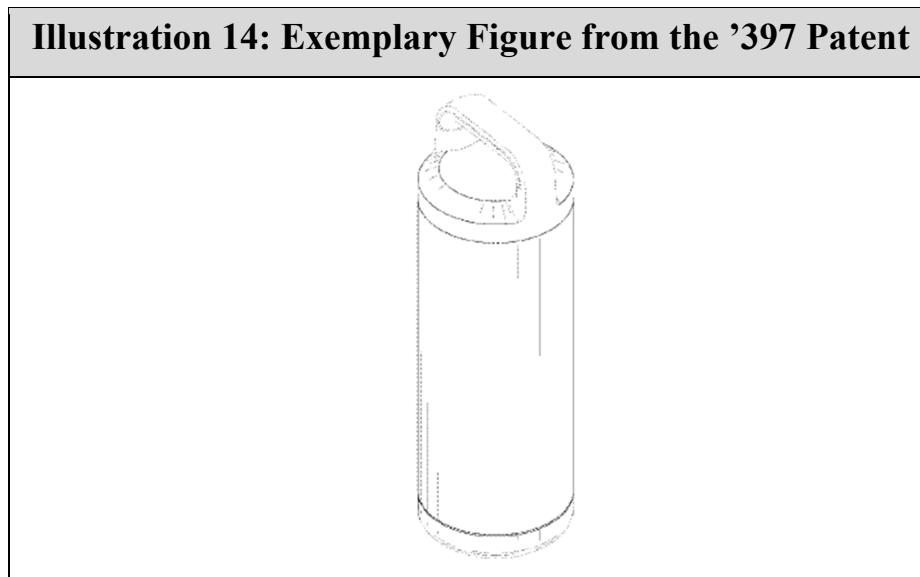


24. The '285 Patent is titled "Bottle." On June 27, 2017, the '285 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '285 Patent. A copy of the '285 Patent is attached as Exhibit 17. An exemplary figure from the '285 Patent is shown in Illustration 13 below:

Illustration 13: Exemplary Figure from the '285 Patent

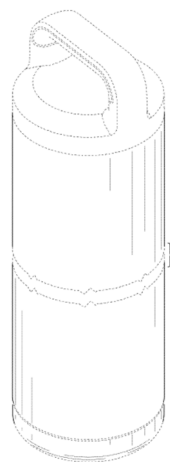


25. The '397 Patent is titled "Bottle." On August 15, 2017, the '397 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '397 Patent. A copy of the '397 Patent is attached as Exhibit 18. An exemplary figure from the '397 Patent is shown in Illustration 14 below:



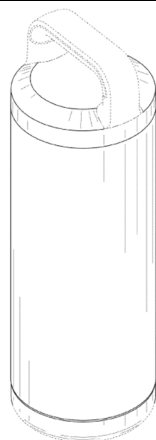
26. The '019 Patent is titled "Bottle." On August 22, 2017, the '019 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '019 Patent. A copy of the '019 Patent is attached as Exhibit 19. An exemplary figure from the '019 Patent is shown in Illustration 15 below:

Illustration 15: Exemplary Figure from the '019 Patent

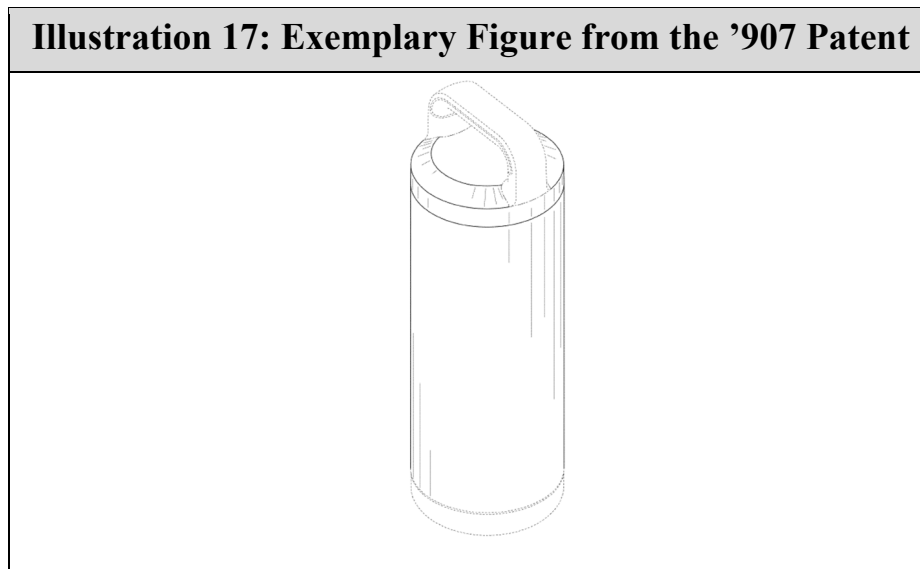


27. The '020 Patent is titled "Bottle." On August 22, 2017, the '020 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '020 Patent. A copy of the '020 Patent is attached as Exhibit 20. An exemplary figure from the '020 Patent is shown in Illustration 16 below:

Illustration 16: Exemplary Figure from the '020 Patent

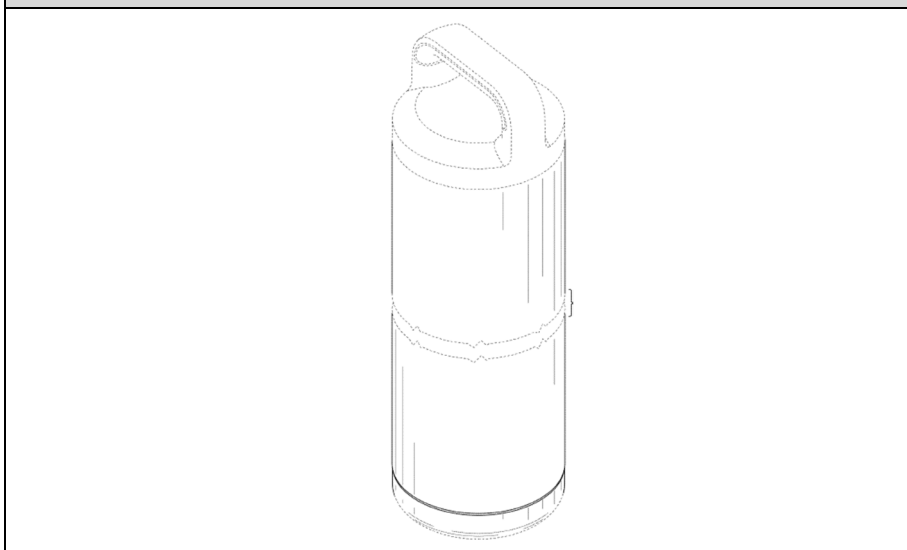


28. The '907 Patent is titled "Bottle." On October 17, 2017, the '907 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '907 Patent. A copy of the '907 Patent is attached as Exhibit 21. An exemplary figure from the '907 Patent is shown in Illustration 17 below:



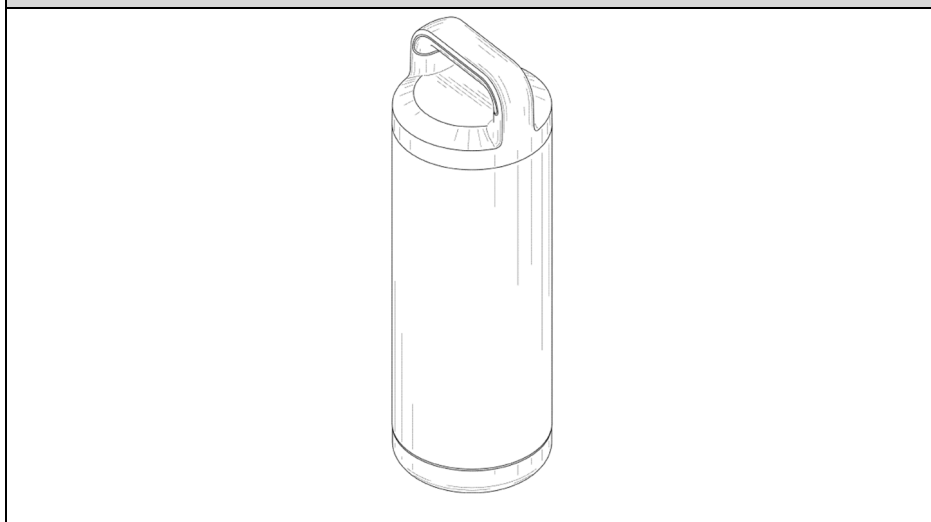
29. The '254 Patent is titled "Bottle." On December 5, 2017, the '254 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '254 Patent. A copy of the '254 Patent is attached as Exhibit 22. An exemplary figure from the '254 Patent is shown in Illustration 18 below:

Illustration 18: Exemplary Figure from the '254 Patent

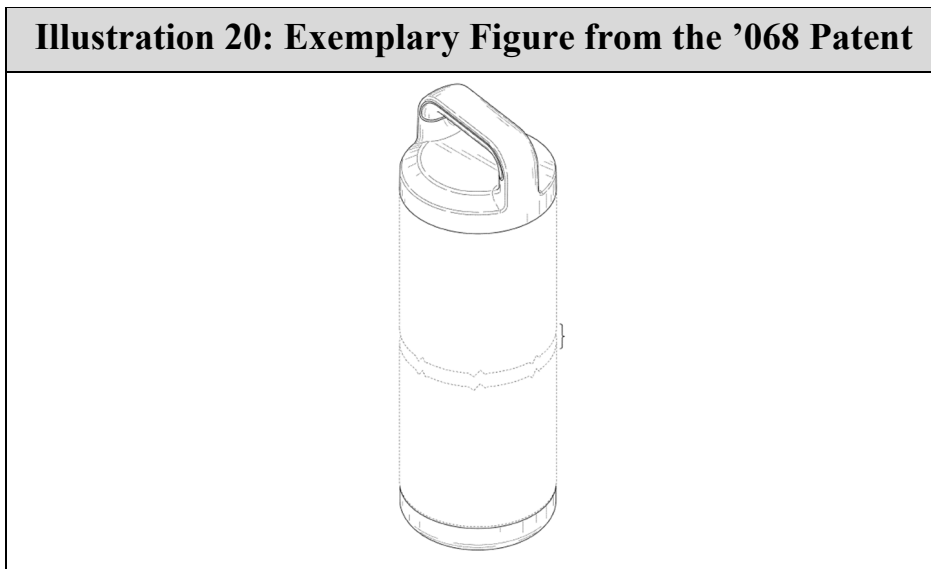


30. The '852 Patent is titled "Bottle." On December 26, 2017, the '852 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '852 Patent. A copy of the '852 Patent is attached as Exhibit 23. An exemplary figure from the '852 Patent is shown in Illustration 19 below:

Illustration 19: Exemplary Figure from the '852 Patent

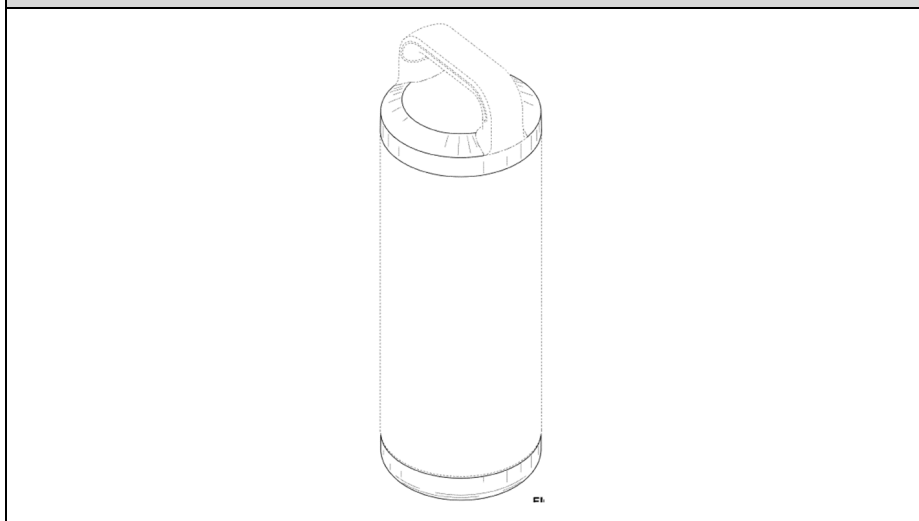


31. The '068 Patent is titled "Bottle." On July 17, 2018, the '068 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '068 Patent. A copy of the '068 Patent is attached as Exhibit 24. An exemplary figure from the '068 Patent is shown in Illustration 20 below:



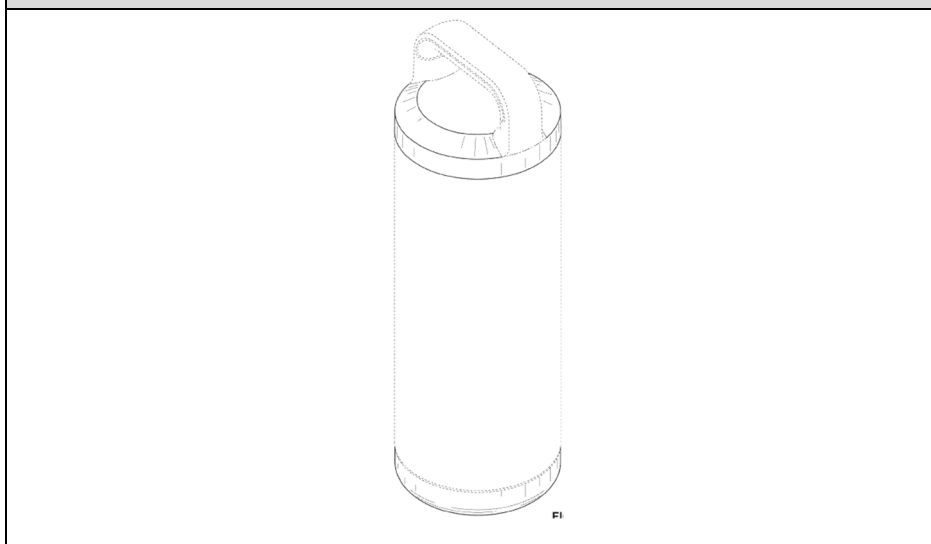
32. The '218 Patent is titled "Bottle." On July 31, 2018, the '218 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '218 Patent. A copy of the '218 Patent is attached as Exhibit 25. An exemplary figure from the '218 Patent is shown in Illustration 21 below:

Illustration 21: Exemplary Figure from the '218 Patent

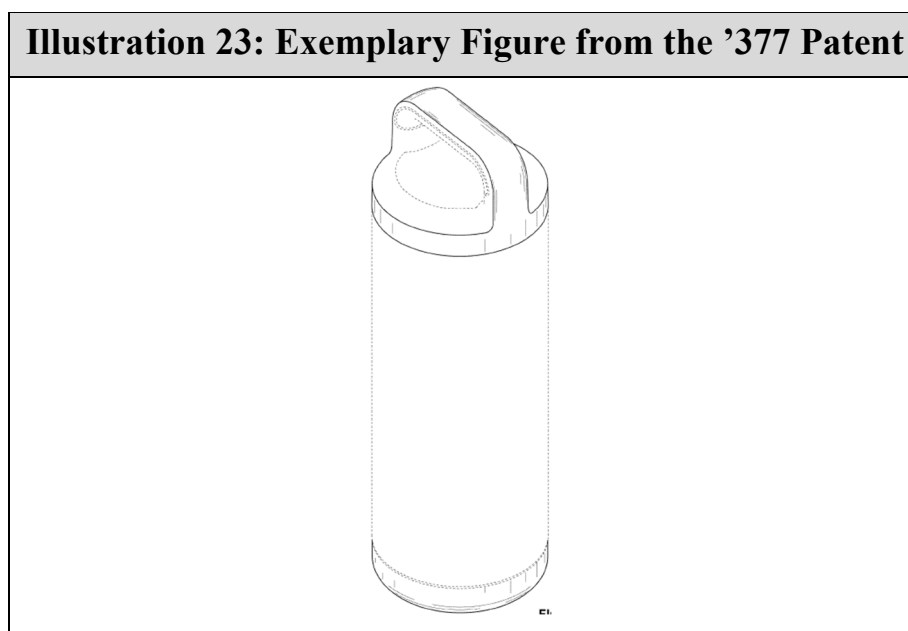


33. The '874 Patent is titled "Bottle." On March 24, 2020, the '874 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '874 Patent. A copy of the '874 Patent is attached as Exhibit 26. An exemplary figure from the '874 Patent is shown in Illustration 22 below:

Illustration 22: Exemplary Figure from the '874 Patent

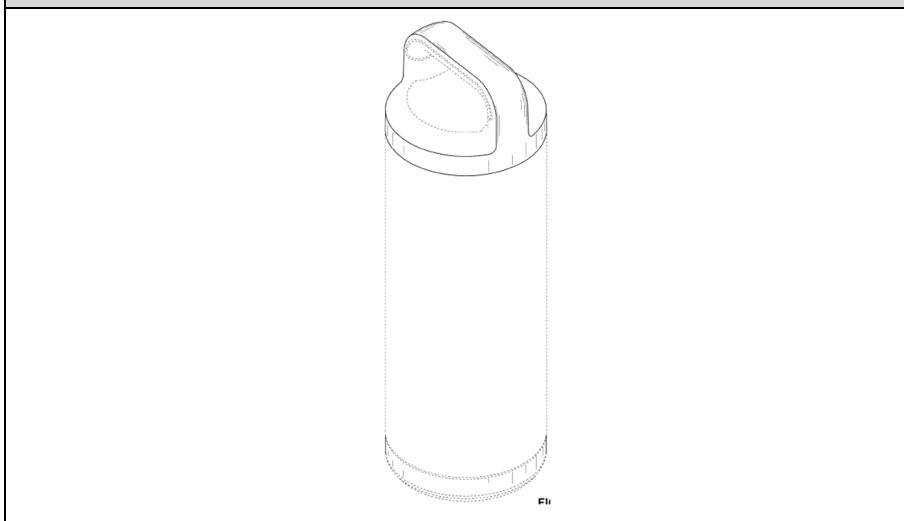


34. The '377 Patent is titled "Bottle." On March 18, 2021, the '377 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '377 Patent. A copy of the '377 Patent is attached as Exhibit 27. An exemplary figure from the '377 Patent is shown in Illustration 23 below:



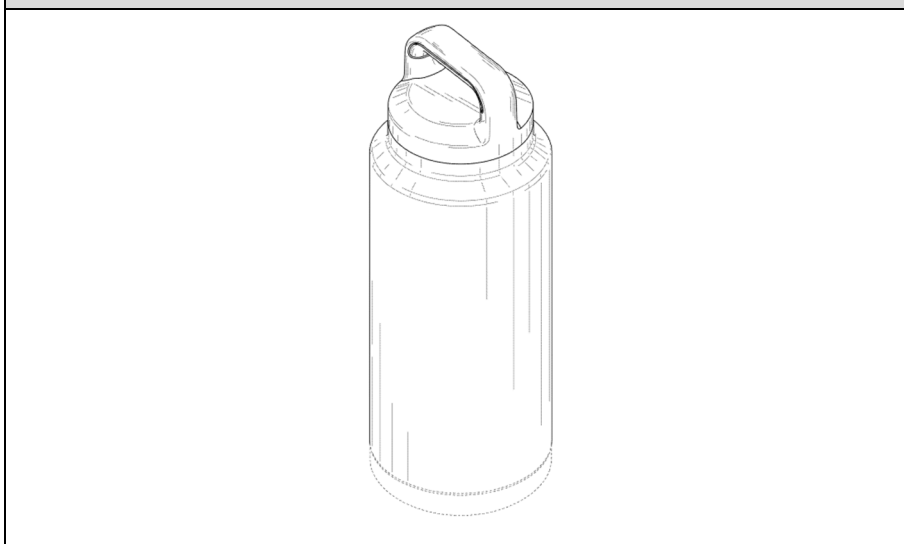
35. The '659 Patent is titled "Bottle." On August 16, 2022, the '659 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '659 Patent. A copy of the '659 Patent is attached as Exhibit 28. An exemplary figure from the '659 Patent is shown in Illustration 24 below:

Illustration 24: Exemplary Figure from the '659 Patent

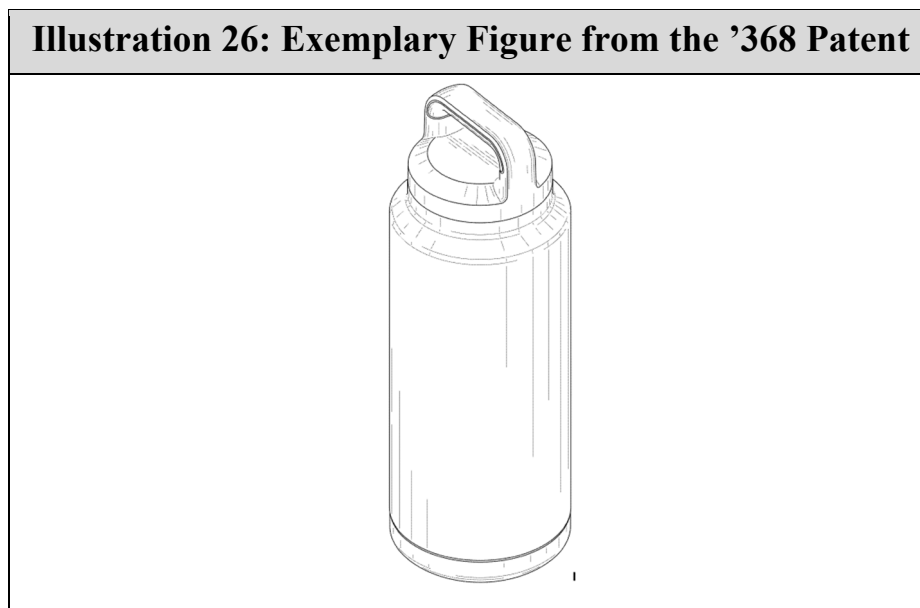


36. The '367 Patent is titled "Bottle." On April 11, 2017, the '367 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '367 Patent. A copy of the '367 Patent is attached as Exhibit 29. An exemplary figure from the '367 Patent is shown in Illustration 25 below:

Illustration 25: Exemplary Figure from the '367 Patent

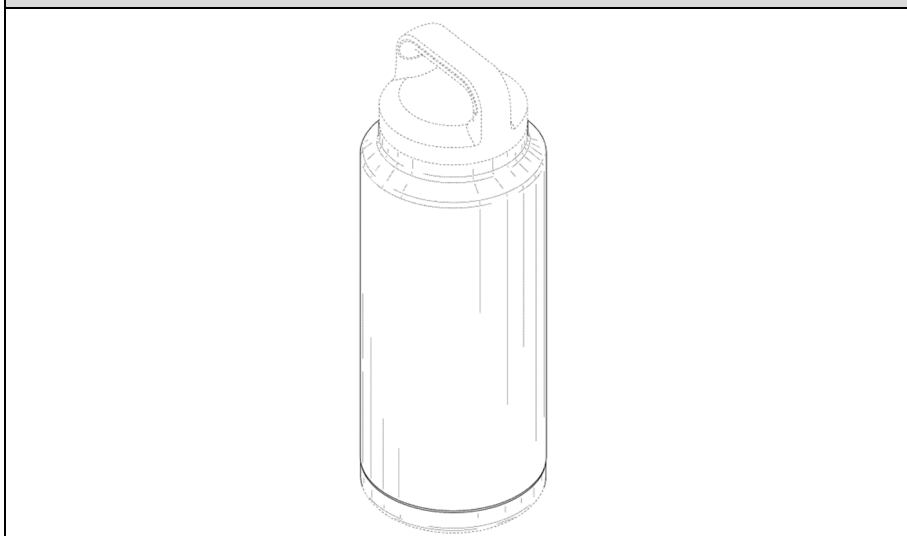


37. The '368 Patent is titled "Bottle." On April 11, 2017, the '368 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '368 Patent. A copy of the '368 Patent is attached as Exhibit 30. An exemplary figure from the '368 Patent is shown in Illustration 26 below:



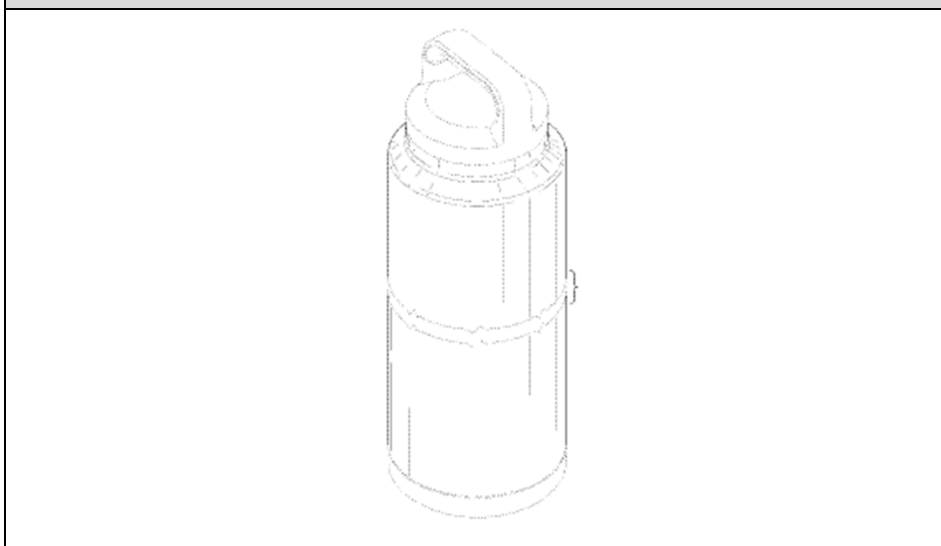
38. The '775 Patent is titled "Bottle." On April 25, 2017, the '775 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '775 Patent. A copy of the '775 Patent is attached as Exhibit 31. An exemplary figure from the '775 Patent is shown in Illustration 27 below:

Illustration 27: Exemplary Figure from the '775 Patent

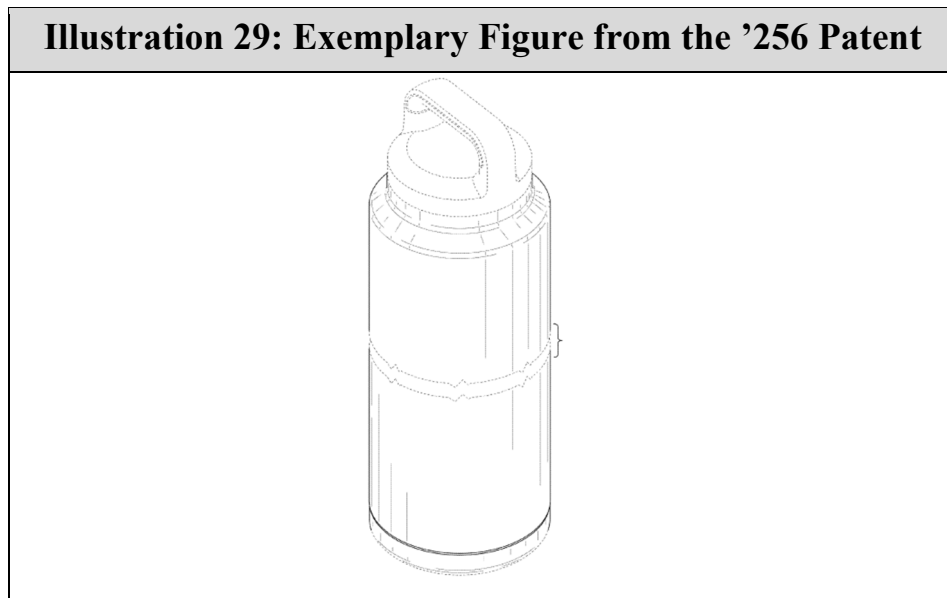


39. The '906 Patent is titled "Bottle." On October 17, 2017, the '906 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '906 Patent. A copy of the '906 Patent is attached as Exhibit 32. An exemplary figure from the '906 Patent is shown in Illustration 28 below:

Illustration 28: Exemplary Figure from the '906 Patent

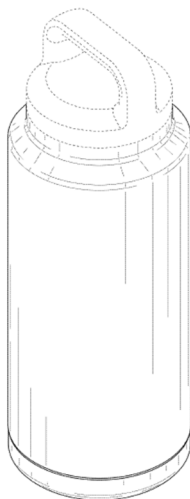


40. The '256 Patent is titled "Bottle." On December 5, 2017, the '256 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '256 Patent. A copy of the '256 Patent is attached as Exhibit 33. An exemplary figure from the '256 Patent is shown in Illustration 29 below:



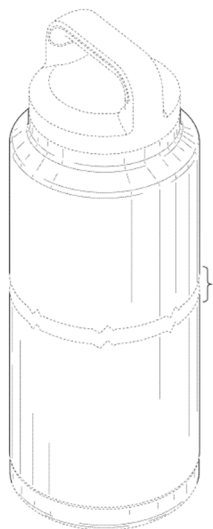
41. The '125 Patent is titled "Bottle." On January 9, 2018, the '125 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '125 Patent. A copy of the '125 Patent is attached as Exhibit 34. An exemplary figure from the '125 Patent is shown in Illustration 30 below:

Illustration 30: Exemplary Figure from the '125 Patent

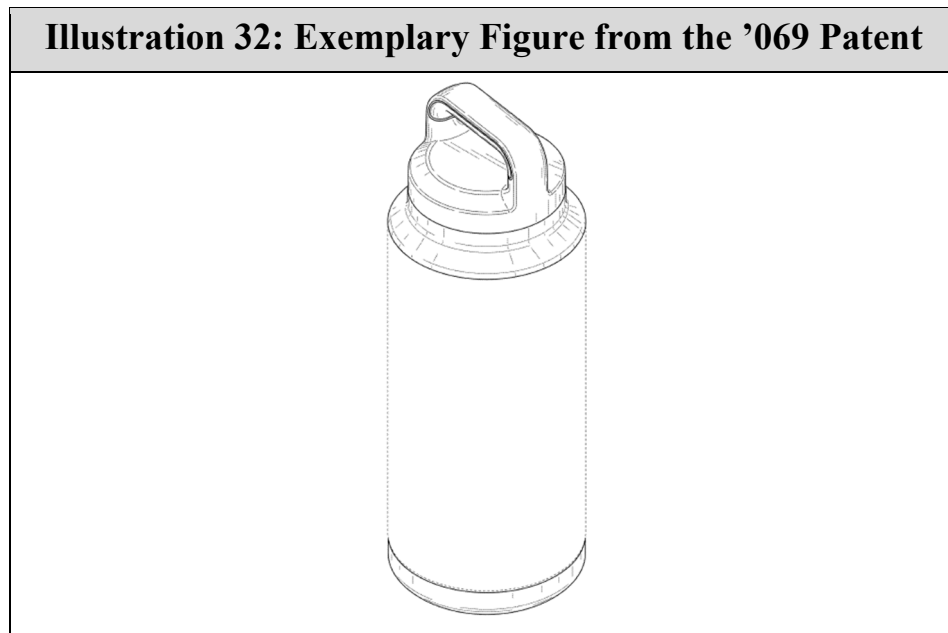


42. The '126 Patent is titled "Bottle." On January 9, 2018, the '126 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '126 Patent. A copy of the '126 Patent is attached as Exhibit 35. An exemplary figure from the '126 Patent is shown in Illustration 31 below:

Illustration 31: Exemplary Figure from the '126 Patent

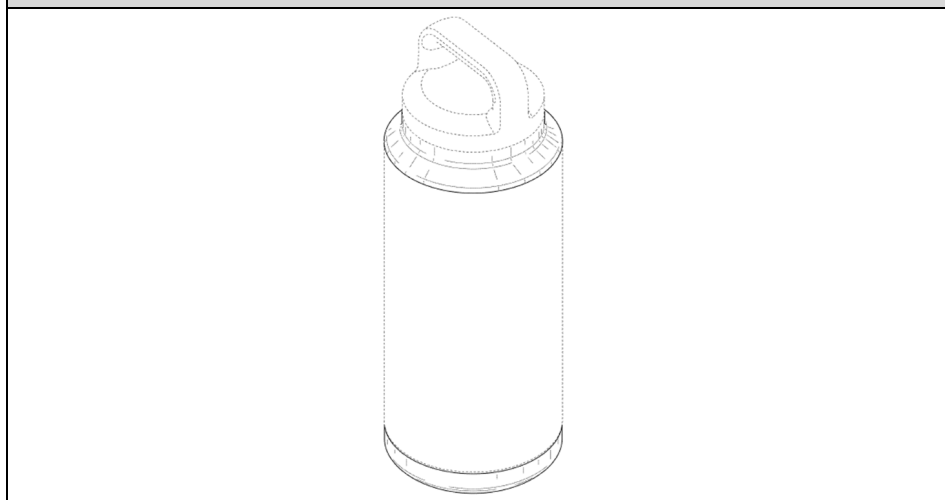


43. The '069 Patent is titled "Bottle." On July 17, 2018, the '069 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '069 Patent. A copy of the '069 Patent is attached as Exhibit 36. An exemplary figure from the '069 Patent is shown in Illustration 32 below:



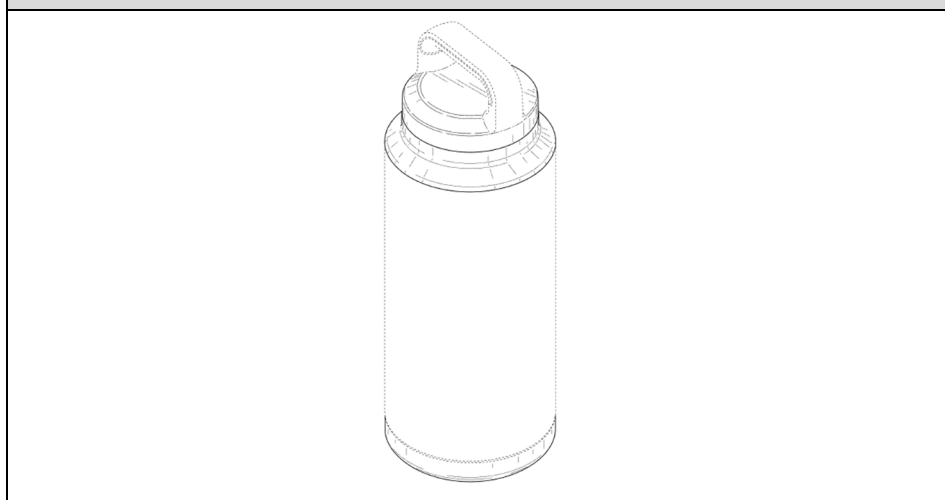
44. The '646 Patent is titled "Bottle." On July 24, 2018, the '646 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '646 Patent. A copy of the '646 Patent is attached as Exhibit 37. An exemplary figure from the '646 Patent is shown in Illustration 33 below:

Illustration 33: Exemplary Figure from the '646 Patent

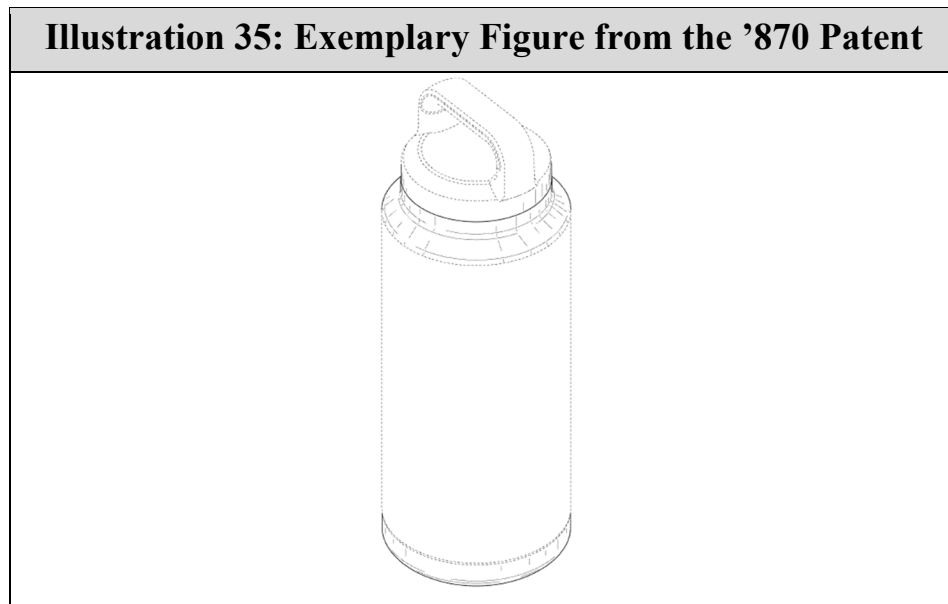


45. The '479 Patent is titled "Bottle." On February 18, 2020, the '479 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '479 Patent. A copy of the '479 Patent is attached as Exhibit 38. An exemplary figure from the '479 Patent is shown in Illustration 34 below:

Illustration 34: Exemplary Figure from the '479 Patent

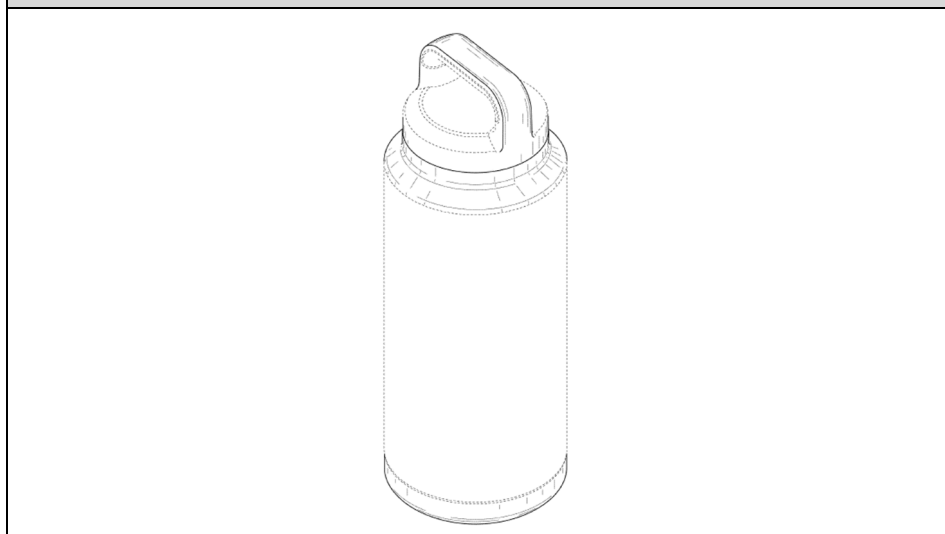


46. The '870 Patent is titled "Bottle." On October 27, 2020, the '870 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '870 Patent. A copy of the '870 Patent is attached as Exhibit 39. An exemplary figure from the '870 Patent is shown in Illustration 35 below:



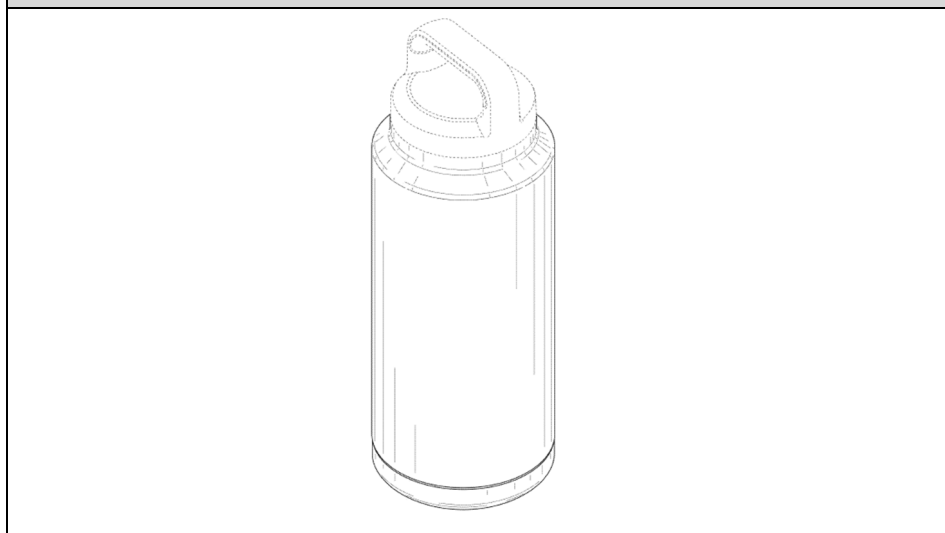
47. The '638 Patent is titled "Bottle." On January 25, 2022, the '638 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '638 Patent. A copy of the '638 Patent is attached as Exhibit 40. An exemplary figure from the '638 Patent is shown in Illustration 36 below:

Illustration 36: Exemplary Figure from the '638 Patent

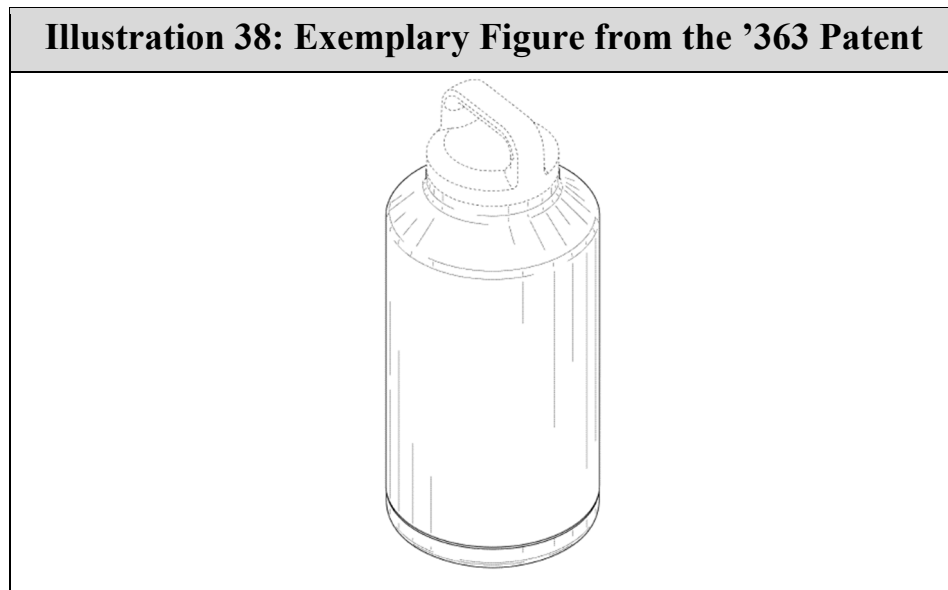


48. The '661 Patent is titled "Bottle." On August 16, 2022, the '661 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '661 Patent. A copy of the '661 Patent is attached as Exhibit 41. An exemplary figure from the '661 Patent is shown in Illustration 37 below:

Illustration 36: Exemplary Figure from the '661 Patent

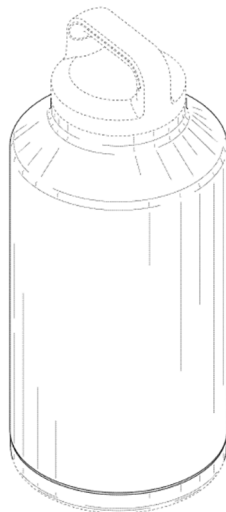


49. The '363 Patent is titled "Bottle." On December 20, 2016, the '363 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '363 Patent. A copy of the '363 Patent is attached as Exhibit 42. An exemplary figure from the '363 Patent is shown in Illustration 38 below:



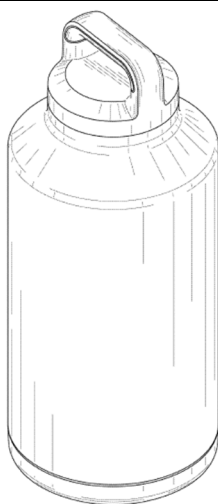
50. The '662 Patent is titled "Bottle." On March 21, 2017, the '662 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '662 Patent. A copy of the '662 Patent is attached as Exhibit 43. An exemplary figure from the '662 Patent is shown in Illustration 39 below:

Illustration 39: Exemplary Figure from the '662 Patent

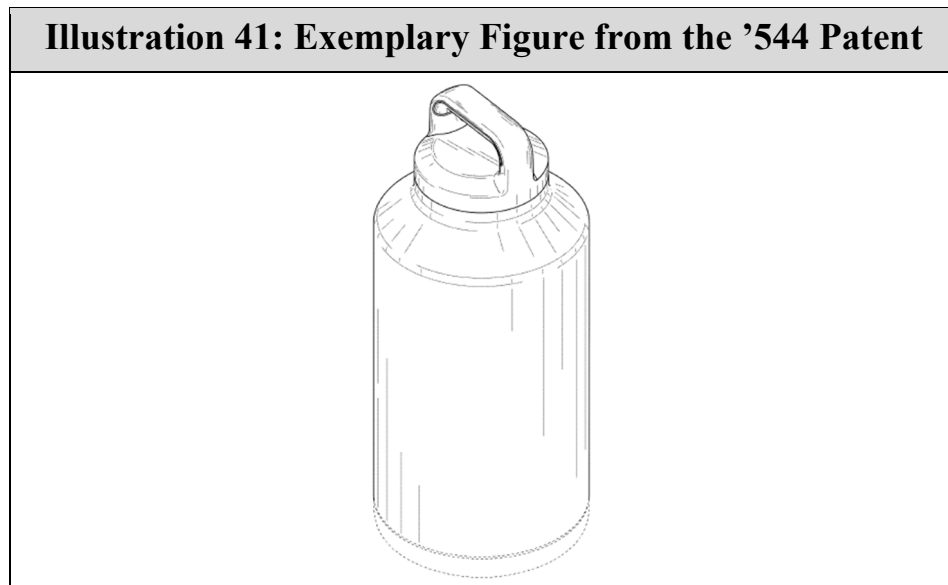


51. The '881 Patent is titled "Bottle." On April 4, 2017, the '881 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '881 Patent. A copy of the '881 Patent is attached as Exhibit 44. An exemplary figure from the '881 Patent is shown in Illustration 40 below:

Illustration 40: Exemplary Figure from the '881 Patent

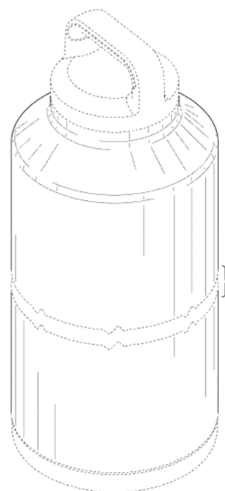


52. The '544 Patent is titled "Bottle." On June 6, 2017, the '544 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '544 Patent. A copy of the '544 Patent is attached as Exhibit 45. An exemplary figure from the '544 Patent is shown in Illustration 41 below:



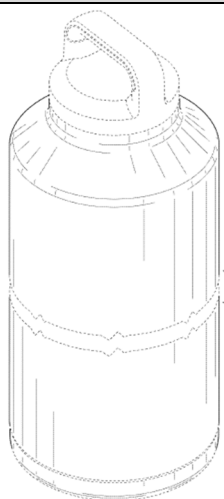
53. The '908 Patent is titled "Bottle." On October 17, 2017, the '908 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '908 Patent. A copy of the '908 Patent is attached as Exhibit 46. An exemplary figure from the '908 Patent is shown in Illustration 42 below:

Illustration 42: Exemplary Figure from the '908 Patent

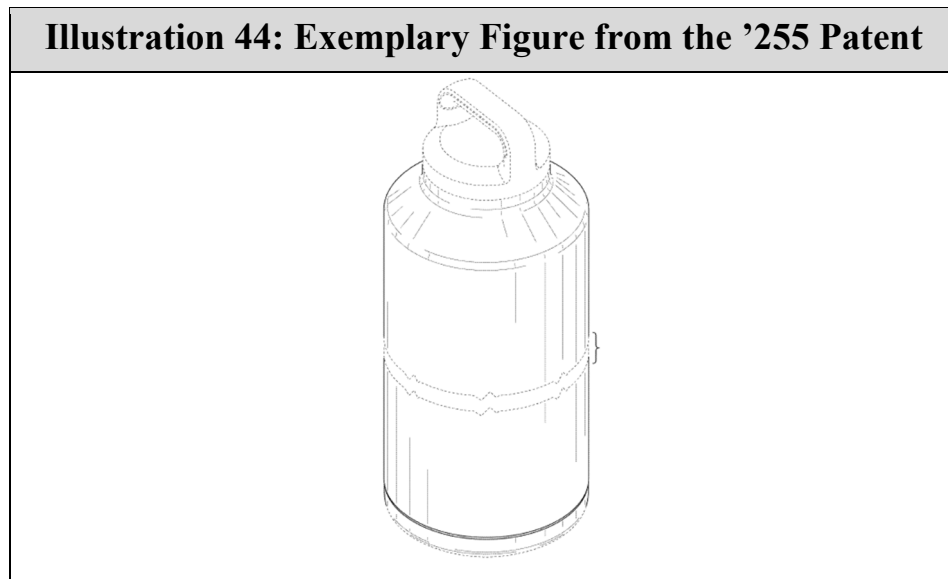


54. The '632 Patent is titled "Bottle." On November 28, 2017, the '632 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '632 Patent. A copy of the '632 Patent is attached as Exhibit 47. An exemplary figure from the '632 Patent is shown in Illustration 43 below:

Illustration 43: Exemplary Figure from the '632 Patent

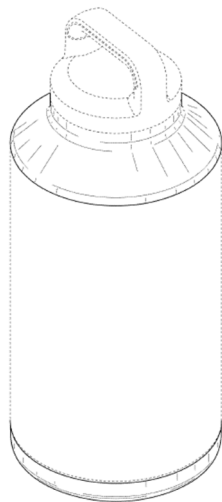


55. The '255 Patent is titled "Bottle." On December 5, 2017, the '255 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '255 Patent. A copy of the '255 Patent is attached as Exhibit 48. An exemplary figure from the '255 Patent is shown in Illustration 44 below:



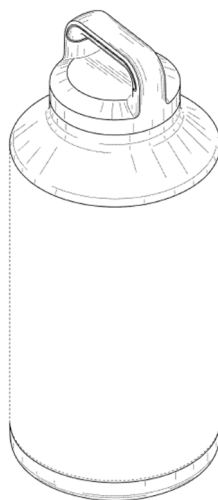
56. The '410 Patent is titled "Bottle." On June 5, 2018, the '410 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '410 Patent. A copy of the '410 Patent is attached as Exhibit 49. An exemplary figure from the '410 Patent is shown in Illustration 45 below:

Illustration 45: Exemplary Figure from the '410 Patent

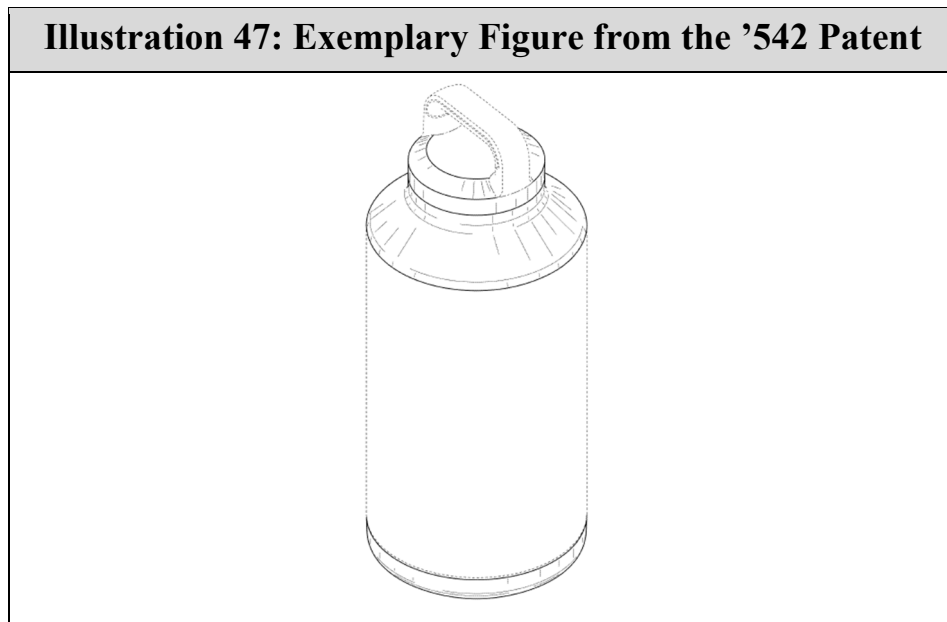


57. The '650 Patent is titled "Bottle." On June 19, 2018, the '650 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '650 Patent. A copy of the '650 Patent is attached as Exhibit 50. An exemplary figure from the '650 Patent is shown in Illustration 46 below:

Illustration 46: Exemplary Figure from the '650 Patent

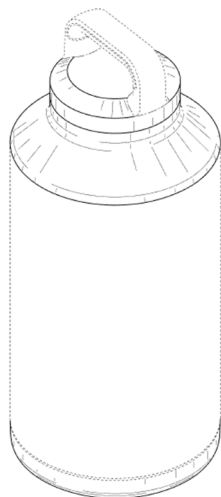


58. The '542 Patent is titled "Bottle." On January 14, 2020, the '542 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '542 Patent. A copy of the '542 Patent is attached as Exhibit 51. An exemplary figure from the '542 Patent is shown in Illustration 47 below:



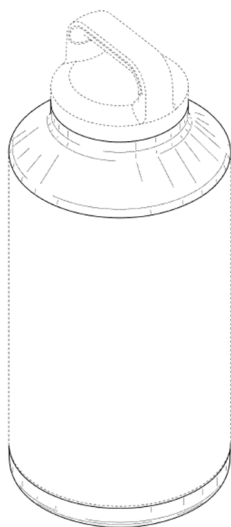
59. The '913 Patent is titled "Bottle." On July 14, 2020, the '913 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '913 Patent. A copy of the '913 Patent is attached as Exhibit 52. An exemplary figure from the '913 Patent is shown in Illustration 48 below:

Illustration 48: Exemplary Figure from the '913 Patent

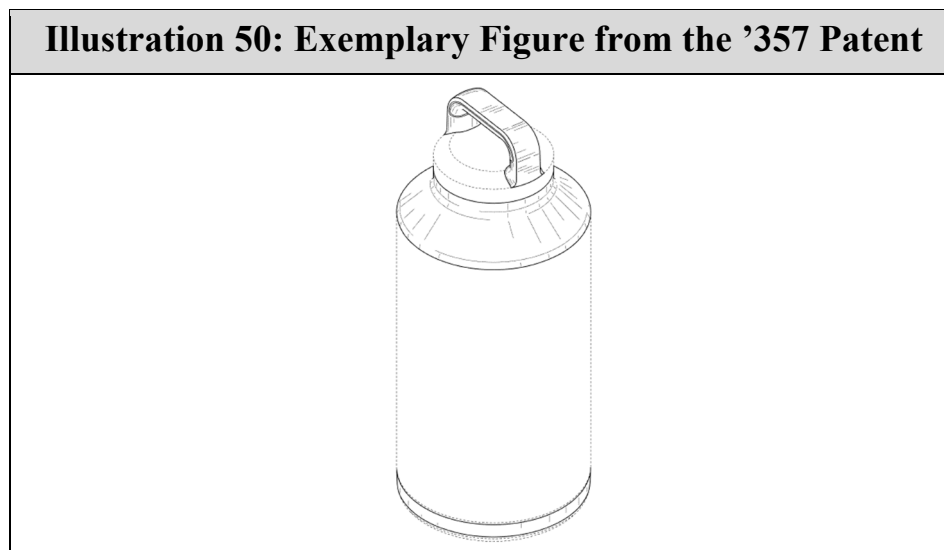


60. The '152 Patent is titled "Bottle." On June 15, 2021, the '152 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '152 Patent. A copy of the '152 Patent is attached as Exhibit 53. An exemplary figure from the '152 Patent is shown in Illustration 49 below:

Illustration 49: Exemplary Figure from the '152 Patent



61. The '357 Patent is titled "Bottle." On February 15, 2022, the '357 Patent was duly and legally issued by the U.S. Patent Office to YETI. YETI owns the entire right, title, and interest to the '357 Patent. A copy of the '357 Patent is attached as Exhibit 54. An exemplary figure from the '357 Patent is shown in Illustration 50 below:



62. YETI created unique, distinctive, and non-functional designs to use with YETI's Rambler® drinkware. YETI has extensively and continuously promoted and used these designs for years throughout the United States, including in Georgia and in Texas. Through that extensive and continuous promotion and use, YETI's designs have become well-known indicators of the origin and quality of YETI's Rambler® drinkware. YETI's designs have also acquired substantial secondary meaning in the marketplace and have become famous. As discussed in more detail below, YETI owns trade dress rights relating to its 20 oz. Rambler®

Tumblers, 30 oz. Rambler® Tumblers, 14 oz. Rambler® Mugs, 24 oz. Rambler® Mugs, 18 oz. Rambler® Water Bottles, 36 oz. Rambler® Water Bottles, and 64 oz. Rambler® Water Bottles (collectively, “YETI’s Trade Dress”).

63. YETI has enjoyed significant sales of its Rambler® drinkware throughout the United States, including sales to customers in the State of Georgia and in the State of Texas. YETI has invested significant resources in the design, development, manufacture, advertising, and marketing of its Rambler® drinkware. The designs and features of YETI’s Rambler® drinkware have received widespread and unsolicited public attention. For example, YETI’s Rambler® drinkware products have been featured in numerous newspaper, magazine, and Internet articles.

64. The designs of the Rambler® drinkware have distinctive and non-functional features that identify to consumers that the origin of the drinkware is YETI. As a result of at least YETI’s continuous and exclusive use of the designs of the Rambler® drinkware, YETI’s marketing, advertising, and sales of its Rambler® drinkware, and the highly valuable goodwill, substantial secondary meaning, and fame acquired as a result, YETI owns trade dress rights in the design and appearance of its Rambler® drinkware, which consumers have come to uniquely associate with YETI.

65. Exemplary images of YETI 20 oz. Rambler® Tumblers are shown below:

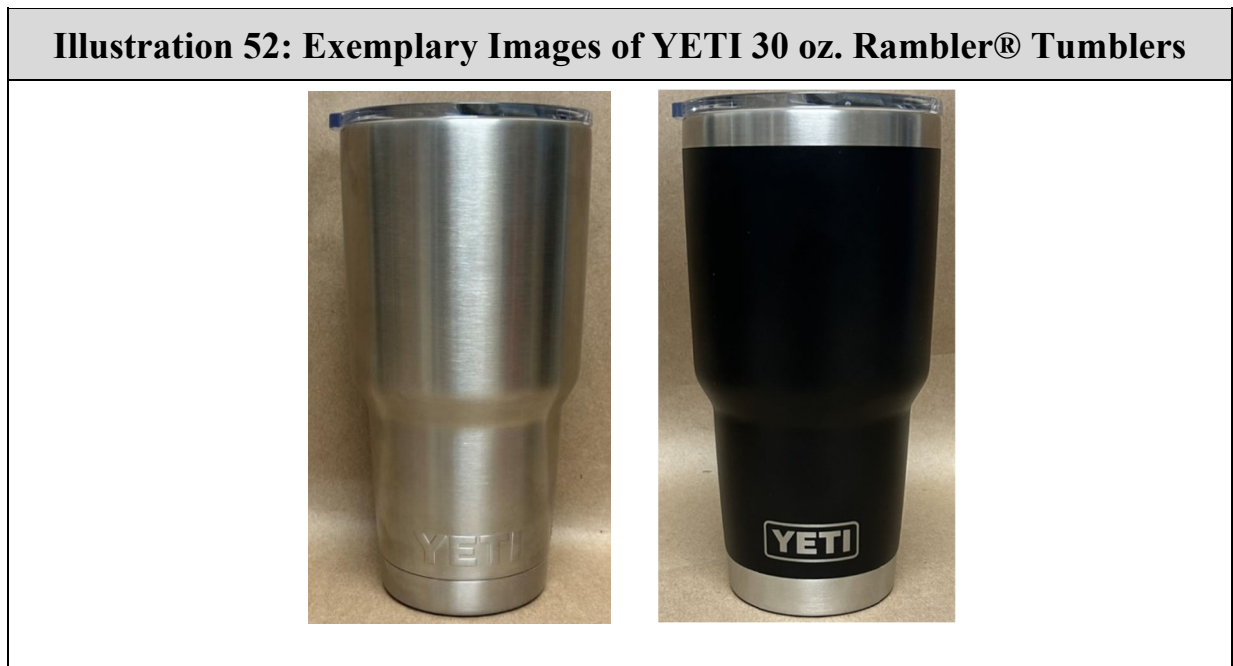
Illustration 51: Exemplary Images of YETI 20 oz. Rambler® Tumblers



66. YETI has trade dress rights in the overall look, design, and appearance of the YETI 20 oz. Rambler® Tumbler, which includes the design and appearance of the curves, tapers, and lines in the YETI 20 oz. Rambler® Tumbler; the design and appearance of the profile of the YETI 20 oz. Rambler® Tumbler; the design and appearance of the walls of the YETI 20 oz. Rambler® Tumbler; the design and appearance of the rim of the YETI 20 oz. Rambler® Tumbler; the design, appearance, and placement of the taper in the side wall of the YETI 20 oz. Rambler® Tumbler; the design, appearance, and placement of the style line around the base of the YETI 20 oz. Rambler® Tumbler; the design, appearance, and placement of the tab on the lid of the YETI 20 oz. Rambler® Tumbler; the design, appearance, and placement of the drinking opening on the lid of the YETI 20 oz. Rambler® Tumbler;

the design, appearance, and placement of the top plane of the lid of the YETI 20 oz. Rambler® Tumbler; the design, appearance, and placement of the side walls of the lid of the YETI 20 oz. Rambler® Tumbler; the color contrast and color combinations of the YETI 20 oz. Rambler® Tumbler and tumbler lid of the YETI 20 oz. Rambler® Tumbler; and the relationship of these features to each other and to other features.

67. Exemplary images of YETI 30 oz. Rambler® Tumblers are shown below:



68. YETI has trade dress rights in the overall look, design, and appearance of the YETI 30 oz. Rambler® Tumbler, which includes the design and appearance of the curves, tapers, and lines in the YETI 30 oz. Rambler® Tumbler; the design and appearance of the profile and the YETI 30 oz. Rambler® Tumbler; the design

and appearance of the walls of the YETI 30 oz. Rambler® Tumbler; the design and appearance of the rim of the YETI 30 oz. Rambler® Tumbler; the design, appearance, and placement of the taper in the sidewall of the YETI 30 oz. Rambler® Tumbler; the design, appearance, and placement of the upper portion, mid portion, and bottom portion of the side wall of the YETI 30 oz. Rambler® tumbler; the design, appearance, and placement of the style line around the base of the YETI 30 oz. Rambler® Tumbler; the design, appearance, and placement of the tab on the lid of the YETI 30 oz. Rambler® Tumbler; the design, appearance, and placement of the drinking opening on the lid of the YETI 30 oz. Rambler® Tumbler; the design, appearance, and placement of the top plane of the lid of the YETI 30 oz. Rambler® Tumbler; the design, appearance, and placement of the side walls of the lid of the YETI 30 oz. Rambler® Tumbler; the color contrast and color combinations of the YETI 30 oz. Rambler® Tumbler and tumbler lid of the YETI 30 oz. Rambler® Tumbler; and the relationship of these features to each other and to other features.

69. An exemplary image of the YETI Rambler® 14 oz. Mug is shown below:

Illustration 53: Exemplary Image of YETI Rambler® 14 oz. Mug



70. YETI has trade dress rights in the overall look, design, and appearance of the YETI Rambler® 14 oz. Mug which includes the design and appearance of the curves in the YETI Rambler® 14 oz. Mug; the design and appearance of the profile of the YETI Rambler® 14 oz. Mug; the design and appearance of the walls of the YETI Rambler® 14 oz. Mug; the design and appearance of the rim of the YETI Rambler® 14 oz. Mug; the design, appearance, and placement of the handle of the YETI Rambler® 14 oz. Mug; the design, appearance, and placement of the tab on the lid of the YETI Rambler® 14 oz. Mug; the design, appearance, and placement of the drinking opening on the lid of the YETI Rambler® 14 oz. Mug; the design, appearance, and placement of the top plane of the lid of the YETI Rambler® 14 oz. Mug; the design, appearance, and placement of the side walls of the lid of the YETI Rambler® 14 oz. Mug; the color contrast and the color combinations of the YETI

Rambler® 14 oz. Mug and the lid of the YETI Rambler® 14 oz. Mug; and the relationship of these features to each other and to other features.

71. An exemplary image of the YETI Rambler® 24 oz. Mug is shown below:



72. YETI has trade dress rights in the overall look, design, and appearance of the YETI Rambler® 24 oz. Mug, which includes the design and appearance of the curves in the YETI Rambler® 24 oz. Mug; the design and appearance of the profile of the YETI Rambler® 24 oz. Mug; the design and appearance of the walls of the YETI Rambler® 24 oz. Mug; the design and appearance of the rim of the YETI Rambler® 24 oz. Mug; the design, appearance, and placement of the handle of the YETI Rambler® 24 oz. Mug; the design, appearance, and placement of the tab on the lid of the YETI Rambler® 24 oz. Mug; the design, appearance, and

placement of the drinking opening on the lid of the YETI Rambler® 24 oz. Mug; the design, appearance, and placement of the top plane of the lid of the YETI Rambler® 24 oz. Mug; the design, appearance, and placement of the side walls of the lid of the YETI Rambler® 24 oz. Mug; the color contrast and the color combinations of the YETI Rambler® 24 oz. Mug and the lid of the YETI Rambler® 14 oz. Mugs; and the relationship of these features to each other and to other features.

73. Exemplary images of YETI 18 oz. Rambler® Water Bottles are shown below:



74. YETI has trade dress rights in the overall look, design, and appearance of the YETI 18 oz. Rambler® Water Bottle, which includes the design and appearance of the curves, tapers, and lines in the YETI 18 oz. Rambler® Water Bottle; the design and appearance of the profile of the YETI 18 oz. Rambler® Water

Bottle; the design and appearance of the walls of the YETI 18 oz. Rambler® Water Bottle; the design and appearance of the rim of the YETI 18 oz. Rambler® Water Bottle; the design, appearance, and placement of the style line around the base of the YETI 18 oz. Rambler® Water Bottle; the design, appearance, and placement of the taper in the lid of the YETI 18 oz. Rambler® Water Bottle; the design, appearance, and placement of the handle on the lid of the YETI 18 oz. Rambler® Water Bottle; the design, appearance, and placement of the top plane of the lid of the YETI 18 oz. Rambler® Water Bottle; the design, appearance, and placement of the side walls of the lid of the YETI 18 oz. Rambler® Water Bottle; the color contrast and color combinations of the YETI 18 oz. Rambler® Water Bottle and the lids of the YETI 18 oz. Rambler® Water Bottle; and the relationships of these features to each other and to other features.

75. Exemplary images of YETI 36 oz. Rambler® Water Bottles are shown below:

Illustration 56: Exemplary Images of YETI 36 oz. Rambler® Water Bottles

76. YETI has trade dress rights in the overall look, design, and appearance of the YETI 36 oz. Rambler® Water Bottle, which includes the design and appearance of the curves, tapers, and lines in the YETI 36 oz. Rambler® Water Bottle; the design and appearance of the profile of the YETI 36 oz. Rambler® Water Bottle; the design and appearance of the walls of the YETI 36 oz. Rambler® Water Bottle; the design and appearance of the rim of the YETI 36 oz. Rambler® Water Bottle; the design, appearance, and placement of the taper in the side wall of the YETI 36 oz. Rambler® Water Bottle; the design, appearance, and placement of the style line around the base of the YETI 36 oz. Rambler® Water Bottle; the design, appearance, and placement of the upper portion, mid portion, and bottom portion of the side wall of the YETI 36 oz. Rambler® Water Bottle; the design, appearance, and placement of the style line around the base of the YETI 36 oz. Rambler® Water Bottle; the design, appearance,

and placement of the taper in the lid of the YETI 36 oz. Rambler® Water Bottle; the design, appearance, and placement of the handle on the lid of the YETI 36 oz. Rambler® Water Bottle; the design, appearance, and placement of the top plane of the lid of the YETI 36 oz. Rambler® Water Bottle; the design, appearance, and placement of the side walls of the lid of the YETI 36 oz. Rambler® Water Bottle; the color contrast and color combinations of the YETI 36 oz. Rambler® Water Bottle and the lids of the YETI 36 oz. Rambler® Water Bottle; and the relationships of these features to each other and to other features.

77. Exemplary images of YETI 64 oz. Rambler® Water Bottles are shown below:



78. YETI has trade dress rights in the overall look, design, and appearance of the YETI 64 oz. Rambler® Water Bottle, which includes the design and appearance of the curves, tapers, and lines in the YETI 64 oz. Rambler® Water Bottle; the design and appearance of the profile of the YETI 64 oz. Rambler® Water Bottle; the design and appearance of the walls of the YETI 64 oz. Rambler® Water Bottle; the design and appearance of the rim of the YETI 64 oz. Rambler® Water Bottle; the design, appearance, and placement of the taper in the side wall of the YETI 64 oz. Rambler® Water Bottle; the design, appearance, and placement of the upper portion, mid portion, and bottom portion of the side wall of the YETI 64 oz. Rambler® Water Bottle; the design, appearance, and placement of the style line around the base of the YETI 64 oz. Rambler® Water Bottle; the design, appearance, and placement of the taper in the lid of the YETI 64 oz. Rambler® Water Bottle; the design, appearance, and placement of the handle on the lid of the YETI 64 oz. Rambler® Water Bottle; the design, appearance, and placement of the top plane of the lid of the YETI 64 oz. Rambler® Water Bottle; the design, appearance, and placement of the side walls of the lid of the YETI 64 oz. Rambler® Water Bottle; the color contrast and color combinations of the YETI 64 oz. Rambler® Water Bottle and the lids of the YETI 64 oz. Rambler® Water Bottle; and the relationships of these features to each other and to other features.

79. As a result of YETI's exclusive, continuous, and substantial use, advertising, and sales of its Rambler® drinkware products bearing YETI's Trade Dress, and the publicity and attention that has been paid to YETI's Trade Dress, YETI's Trade Dress has become famous and has acquired valuable goodwill and substantial secondary meaning in the marketplace, as consumers have come to uniquely associate YETI's Trade Dress as a source identifier of YETI.

Rugged Road's Unlawful Activities

80. Rugged Road has purposefully advertised, marketed, promoted, offered for sale, sold, distributed, manufactured, and/or imported, and continues to purposefully advertise, market, promote, offer for sale, sell, distribute, manufacture, and/or import, products that violate YETI's rights, including YETI's patent and trade dress rights. Rugged Road's infringing products are confusingly similar imitations of YETI's products. Rugged Road's actions have all been without the authorization of YETI.

81. As discussed in more detail below, Rugged Road is selling soft-sided cooler products and drinkware products that infringe YETI's patent rights. Rugged Road is not authorized to use YETI's patented technologies. Rugged Road is also selling drinkware products that infringe YETI's Trade Dress rights. Rugged Road is trying to confuse consumers into thinking that its drinkware products are associated with, sponsored by, or approved by YETI, when they are not. Rugged Road's actions

are unlawful, and they must stop. Rugged Road must also compensate YETI for Rugged Road's violations of the law.

82. Rugged Road's infringing products include its 30 Can Soft Coolers. Rugged Road's infringing products also include its 20 oz. Tumblers, 30 oz. and 32 oz. Tumblers, 10 oz. Mugs, 22 oz. Mugs, 18 oz. Bottles, 36 oz. Bottles, and 64 oz. Bottles (collectively, "Infringing Drinkware Products"). Rugged Road's infringing products are shown on Rugged Road's principal website, ruggedroadoutdoors.com, and exemplary images of Rugged Road's infringing products are also shown below:

Illustration 58: Exemplary Images of Rugged Road's 30 Can Soft Cooler, Including Cross-Sectional View



Illustration 59: Exemplary Images of Rugged Road's 20 oz. Tumblers



**Illustration 60: Exemplary Images of
Rugged Road's 30 oz. and 32 oz. Tumblers**



Illustration 61: Exemplary Image of Rugged Road's 10 oz. Mug



Illustration 62: Exemplary Image of Rugged Road's 22 oz. Mug



Illustration 63: Exemplary Image of Rugged Road's 18 oz. Bottle



Illustration 64: Exemplary Image of Rugged Road's 36 oz. Bottle



Illustration 65: Exemplary Image of Rugged Road's 64 oz. Bottle



83. As a result of Rugged Road's activities related to its 20 oz. Tumblers, 30 oz. and 32 oz. Tumblers, 10 oz. Mugs, 22 oz. Mugs, 18 oz. Bottles, 36 oz. Bottles, and 64 oz. Bottles, there is a likelihood of confusion between Rugged Road and its products on the one hand, and YETI and its products on the other hand.

84. YETI used its trade dress extensively and continuously before Rugged Road began advertising, promoting, offering to sell, selling, distributing, manufacturing, and/or importing into the United States its Infringing Drinkware Products. Moreover, YETI's Trade Dress became famous and acquired secondary

meaning in the United States, including in the State of Georgia and in the State of Texas, before Rugged Road commenced its unlawful use of YETI's Trade Dress.

85. In short, Rugged Road's conduct shows that Rugged Road was aware of YETI, YETI's products, including YETI's soft-sided cooler products and drinkware products, and YETI's rights, that Rugged Road targeted YETI and purposefully intended to harm YETI, and that Rugged Road's unlawful activities have been intentional, willful, and malicious.

Count I:
Patent Infringement of U.S. Patent No. 10,981,716 Under 35 U.S.C. § 271

86. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

87. Rugged Road has infringed and continues to infringe the '716 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's infringing 30 Can Soft Cooler, which includes each and every element of one or more claims of the '716 Patent, either literally or through the doctrine of equivalents, including at least claim 1. For example, claim 1 of the '716 Patent recites "[a]n insulating device" comprising "an outer shell defining a first sidewall; an inner liner forming a storage compartment; wherein the outer shell defines a bottom wall extending in a first plane and wherein the inner liner comprises a nylon fabric and is secured to the outer shell in a second plane extending perpendicular to the first plane, and wherein the inner liner is secured to the outer

shell by a weld; an insulating layer comprising a foam layer positioned in between the outer shell and the inner liner, the insulating layer providing insulation for the storage compartment; an opening configured to allow access to the storage compartment; a closure adapted to substantially seal the opening, the closure being substantially waterproof so as to resist liquid from exiting the opening when the insulating device is in any orientation; and a lid assembly attached in at least one location to a body assembly wherein the lid assembly includes an upper inner liner portion comprising a nylon fabric and an upper insulating portion and an upper outer shell portion, and wherein the upper insulating portion is positioned between the upper inner liner portion and the upper outer shell portion.”

88. Rugged Road’s 30 Can Soft Cooler product infringes at least claim 1 of the ’716 Patent because it is an insulating device that includes all of the claim elements of at least claim 1, either literally or through the doctrine of equivalents, including “an outer shell defining a first sidewall” “wherein the outer shell defines a bottom wall extending in a first plane,” “an inner liner forming a storage compartment” “wherein the inner liner comprises a nylon fabric and is secured to the outer shell in a second plane extending perpendicular to the first plane” and “wherein the inner liner is secured to the outer shell by a weld,” “an insulating layer comprising a foam layer positioned in between the outer shell and the inner liner, the insulating layer providing insulation for the storage compartment,” “an opening

configured to allow access to the storage compartment,” “a closure adapted to substantially seal the opening, the closure being substantially waterproof so as to resist liquid from exiting the opening when the insulating device is in any orientation,” and “a lid assembly attached in at least one location to a body assembly wherein the lid assembly includes an upper inner liner portion comprising a nylon fabric and an upper insulating portion and an upper outer shell portion, and wherein the upper insulating portion is positioned between the upper inner liner portion and the upper outer shell portion.”

89. For example, Rugged Road’s 30 Can Soft Cooler product is an insulating device that has an outer shell and a nylon inner liner, with the outer shell defining a first sidewall and the inner liner forming a storage compartment, an opening extending through the outer shell and the inner liner, an insulating layer comprising a foam layer positioned in between the outer shell and the inner liner that provides insulation, an opening configured to allow access to the storage compartment, a closure adapted to substantially seal the opening, and a lid assembly. The outer shell of Rugged Road’s 30 Can Soft Cooler also defines a bottom wall extending in a first plane. The inner liner of Rugged Road’s 30 Can Soft Cooler is secured to the outer shell in a second plane extending perpendicular to the first plane and is secured to the outer shell by a weld. Rugged Road also claims on its website that its 30 Can Soft Cooler has a “waterproof zipper” that “provides a 100%

leakproof interior.” The lid assembly of Rugged Road’s 30 Can Soft Cooler is attached to a body assembly and includes an upper inner liner portion comprising a nylon fabric and an upper insulating portion and an upper outer shell portion, and wherein the upper insulating portion is positioned between the upper inner liner portion and the upper outer shell portion.

90. Rugged Road’s acts of infringement have been without express or implied license by YETI, are in violation of YETI’s rights, and will continue unless enjoined by this Court.

91. On information and belief, Rugged Road’s infringement of the ’716 patent has been intentional, willful, and malicious. Rugged Road’s bad faith is evidenced at least by Rugged Road’s knowledge of YETI, YETI products, and YETI’s rights; by the similarity of the infringing products to YETI’s patented technology; and by Rugged Road’s continuing disregard for YETI’s rights.

92. On information and belief, this is an exceptional case in view of Rugged Road’s unlawful activities, including Rugged Road’s intentional, willful, and malicious infringement.

93. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, and 285.

94. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count II:
Patent Infringement of U.S. Patent No. 11,186,422 Under 35 U.S.C. § 271

95. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set herein.

96. Rugged Road has infringed and continues to infringe the '422 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's infringing 30 Can Soft Cooler, which includes each and every element of one or more claims of the '422 Patent, either literally or through the doctrine of equivalents, including at least claim 23.

97. For example, claim 23 of the '422 Patent recites “[a]n insulating device” comprising “an outer shell; an inner liner forming a storage compartment; an insulating layer, wherein the insulating layer provides insulation for the storage compartment, and wherein the insulating layer is a foam layer positioned between the outer shell and the inner liner; an opening configured to allow access to the storage compartment; a closure, wherein the closure is adapted to substantially close the opening to resist contents from exiting the opening; at least two carry straps, wherein a first carry strap and a second carry strap are positioned at an upper portion of the insulating device; at least two side handles, wherein the side handles are

attached at the upper portion of the insulating device; and a base, and wherein the base is more rigid than the outer shell, the base is more rigid than the inner liner, and the base is more rigid than the insulating layer.”

98. Rugged Road’s 30 Can Soft Cooler product infringes at least claim 23 of the ’422 Patent because it is an insulating device that includes all of the claim elements of at least claim 23, either literally or through the doctrine of equivalents, including “an outer shell,” “an inner liner forming a storage compartment,” “an insulating layer, wherein the insulating layer provides insulation for the storage compartment, and wherein the insulating layer is a foam layer positioned between the outer shell and the inner liner,” “an opening configured to allow access to the storage compartment,” “a closure, wherein the closure is adapted to substantially close the opening to resist contents from exiting the opening,” “at least two carry straps, wherein a first carry strap and a second carry strap are positioned at an upper portion of the insulating device,” “at least two side handles, wherein the side handles are attached at the upper portion of the insulating device,” and “a base, and wherein the base is more rigid than the outer shell, the base is more rigid than the inner liner, and the base is more rigid than the insulating layer.”

99. For example, Rugged Road’s 30 Can Soft Cooler product is an insulating device that has an outer shell, an inner liner forming a storage compartment, an insulating foam layer between the outer shell and inner liner that

insulates the storage compartment, at least two carry straps positioned at an upper portion of the cooler, at least two side handles attached at the upper portion of the cooler, a base that is more rigid than the outer shell and inner liner and insulating layer, an opening allowing access to the storage compartment, a closure that can substantially close the opening to resist contents from exiting.

100. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

101. On information and belief, Rugged Road's infringement of the '422 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; by the similarity of the infringing products to YETI's patented technology; and by Rugged Road's continuing disregard for YETI's rights.

102. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

103. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, and 285.

104. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count III:
Patent Infringement of U.S. Patent No. 11,767,157 Under 35 U.S.C. § 271

105. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

106. Rugged Road has infringed and continues to infringe the '157 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's infringing 30 Can Soft Cooler, which includes each and every element of one or more claims of the '157 Patent, either literally or through the doctrine of equivalents, including at least claim 1.

107. For example, claim 1 of the '157 Patent recites “[a]n insulating container” comprising “an outer shell, an inner liner forming a storage compartment, a foam layer between the outer shell and the inner liner, the foam layer providing insulation; an opening extending through the outer shell and the inner liner, the opening configured to allow access to the storage compartment; a closure adapted to substantially seal the opening, the closure being waterproof so as to resist liquid from exiting the opening when the insulating container is in any orientation; a lid assembly attached in at least one location to a body assembly wherein the lid assembly includes an upper inner liner portion comprising a nylon fabric and an

upper insulating portion and an upper outer shell portion, and wherein the upper insulating portion is positioned between the upper inner liner portion and the upper outer shell portion; and a pocket attached to the body assembly.”

108. Rugged Road’s 30 Can Soft Cooler product infringes at least claim 1 of the ’157 Patent because it is an insulating container that includes all of the claim elements of at least claim 1, either literally or through the doctrine of equivalents, including “an outer shell,” “an inner liner forming a storage compartment,” “a foam layer between the outer shell and the inner liner, the foam layer providing insulation,” “an opening extending through the outer shell and the inner liner, the opening configured to allow access to the storage compartment,” “a closure adapted to substantially seal the opening, the closure being waterproof so as to resist liquid from exiting the opening when the insulating container is in any orientation,” “a lid assembly attached in at least one location to a body assembly wherein the lid assembly includes an upper inner liner portion comprising a nylon fabric and an upper insulating portion and an upper outer shell portion, and wherein the upper insulating portion is positioned between the upper inner liner portion and the upper outer shell portion; and a pocket attached to the body assembly.”

109. For example, Rugged Road’s 30 Can Soft Cooler is an insulating container that has an outer shell, an inner liner forming a storage compartment, a foam layer that provides insulation between the outer shell and the inner liner, an

opening configured to allow access to the storage compartment and extending through the outer shell and inner liner, and a waterproof closure. Moreover, Rugged Road claims on its website that its 30 Can Soft Cooler has a “waterproof zipper” that “provides a 100% leakproof interior.” Rugged Road’s 30 Can Soft Cooler also has a lid assembly which is attached in at least one location to a body assembly and includes an upper inner liner portion comprising a nylon fabric, an upper insulating portion, and an upper outer shell portion. In Rugged Road’s 30 Can Soft Cooler, the upper insulating portion is positioned between the upper inner liner portion and the upper outer shell portion, and a pocket is attached to the body assembly.

110. Rugged Road’s acts of infringement have been without express or implied license by YETI, are in violation of YETI’s rights, and will continue unless enjoined by this Court.

111. On information and belief, Rugged Road’s infringement of the ’157 patent has been intentional, willful, and malicious. Rugged Road’s bad faith is evidenced at least by Rugged Road’s knowledge of YETI, YETI products, and YETI’s rights; by the similarity of the infringing products to YETI’s patented technology; and by Rugged Road’s continuing disregard for YETI’s rights.

112. On information and belief, this is an exceptional case in view of Rugged Road’s unlawful activities, including Rugged Road’s intentional, willful, and malicious infringement.

113. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, and 285.

114. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count IV:
Patent Infringement of U.S. Patent No. D859,934 Under 35 U.S.C. § 271

115. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

116. Rugged Road has infringed and continues to infringe the '934 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 30 Can Soft Cooler, which is covered by the claim of the '934 Patent.

117. Rugged Road's 30 Can Soft Cooler infringes the '934 Patent because the overall appearance of Rugged Road's 30 Can Soft Cooler is substantially the same as the overall appearance of the design of the '934 Patent, and an ordinary observer would perceive the overall appearance of Rugged Road's 30 Can Soft Cooler to be substantially the same as the overall appearance of the design of the '934 Patent.

118. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

119. On information and belief, Rugged Road's infringement of the '934 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 30 Can Soft Cooler to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

120. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

121. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

122. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count V:
Patent Infringement of U.S. Patent No. D862,177 Under 35 U.S.C. § 271

123. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

124. Rugged Road has infringed and continues to infringe the '177 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 30 Can Soft Cooler, which is covered by the claim of the '177 Patent.

125. Rugged Road's 30 Can Soft Cooler infringes the '177 Patent because the overall appearance of Rugged Road's 30 Can Soft Cooler is substantially the same as the overall appearance of the design of the '177 Patent, and an ordinary observer would perceive the overall appearance of Rugged Road's 30 Can Soft Cooler to be substantially the same as the overall appearance of the design of the '177 Patent.

126. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

127. On information and belief, Rugged Road's infringement of the '177 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 30 Can Soft Cooler to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

128. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

129. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

130. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count VI:
Patent Infringement of U.S. Patent No. D942,221 Under 35 U.S.C. § 271

131. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

132. Rugged Road has infringed and continues to infringe the '221 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 30 Can Soft Cooler, which is covered by the claim of the '221 Patent.

133. Rugged Road's 30 Can Soft Cooler infringes the '221 Patent because the overall appearance of Rugged Road's 30 Can Soft Cooler is substantially the same as the overall appearance of the design of the '221 Patent, and an ordinary observer would perceive the overall appearance of Rugged Road's 30 Can Soft

Cooler to be substantially the same as the overall appearance of the design of the '221 Patent.

134. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

135. On information and belief, Rugged Road's infringement of the '221 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 30 Can Soft Cooler to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

136. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

137. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

138. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count VII:
Patent Infringement of U.S. Patent No. D942,222 Under 35 U.S.C. § 271

139. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

140. Rugged Road has infringed and continues to infringe the '222 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 30 Can Soft Cooler, which is covered by the claim of the '222 Patent.

141. Rugged Road's 30 Can Soft Cooler infringes the '222 Patent because the overall appearance of Rugged Road's 30 Can Soft Cooler is substantially the same as the overall appearance of the design of the '222 Patent, and an ordinary observer would perceive the overall appearance of Rugged Road's 30 Can Soft Cooler to be substantially the same as the overall appearance of the design of the '222 Patent.

142. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

143. On information and belief, Rugged Road's infringement of the '222 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and

YETI's rights; the similarity of Rugged Road's 30 Can Soft Cooler to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

144. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

145. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

146. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count VIII:
Patent Infringement of U.S. Patent No. D955,824 Under 35 U.S.C. § 271

147. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

148. Rugged Road has infringed and continues to infringe the '824 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 30 Can Soft Cooler, which is covered by the claim of the '824 Patent.

149. Rugged Road's 30 Can Soft Cooler infringes the '824 Patent because the overall appearance of Rugged Road's 30 Can Soft Cooler is substantially the

same as the overall appearance of the design of the '824 Patent, and an ordinary observer would perceive the overall appearance of Rugged Road's 30 Can Soft Cooler to be substantially the same as the overall appearance of the design of the '824 Patent.

150. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

151. On information and belief, Rugged Road's infringement of the '824 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 30 Can Soft Cooler to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

152. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

153. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

154. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count IX:
Patent Infringement of U.S. Patent No. D1,022,613 Under 35 U.S.C. § 271

155. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

156. Rugged Road has infringed and continues to infringe the '613 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 30 Can Soft Cooler, which is covered by the claim of the '613 Patent.

157. Rugged Road's 30 Can Soft Cooler infringes the '613 Patent because the overall appearance of Rugged Road's 30 Can Soft Cooler is substantially the same as the overall appearance of the design of the '613 Patent, and an ordinary observer would perceive the overall appearance of Rugged Road's 30 Can Soft Cooler to be substantially the same as the overall appearance of the design of the '613 Patent.

158. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

159. On information and belief, Rugged Road's infringement of the '613 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 30 Can Soft Cooler to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

160. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

161. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

162. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count X:
Patent Infringement of U.S. Patent No. D882,343 Under 35 U.S.C. § 271

163. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

164. Rugged Road has infringed and continues to infringe the '343 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 10 oz. Mug, which is covered by the claim of the '343 Patent.

165. Rugged Road's 10 oz. Mug infringes the '343 Patent because the overall appearance of Rugged Road's 10 oz. Mug is substantially the same as the overall appearance of the design of the '343 Patent, and an ordinary observer would perceive the overall appearance of Rugged Road's 10 oz. Mug to be substantially the same as the overall appearance of the design of the '343 Patent.

166. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

167. On information and belief, Rugged Road's infringement of the '343 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 10 oz. Mug to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

168. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

169. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

170. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XI:
Patent Infringement of U.S. Patent No. D899,862 Under 35 U.S.C. § 271

171. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

172. Rugged Road has infringed and continues to infringe the '862 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 10 oz. Mug, which is covered by the claim of the '862 Patent.

173. Rugged Road's 10 oz. Mug infringes the '862 Patent because the overall appearance of Rugged Road's 10 oz. Mug is substantially the same as the overall appearance of the design of the '862 Patent, and an ordinary observer would perceive the overall appearance of Rugged Road's 10 oz. Mug to be substantially the same as the overall appearance of the design of the '862 Patent.

174. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

175. On information and belief, Rugged Road's infringement of the '862 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and

YETI's rights; the similarity of Rugged Road's 10 oz. Mug to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

176. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

177. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

178. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XII:
Patent Infringement of U.S. Patent No. D1,011,842 Under 35 U.S.C. § 271

179. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

180. Rugged Road has infringed and continues to infringe the '842 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 10 oz. Mug, which is covered by the claim of the '842 Patent.

181. Rugged Road's 10 oz. Mug infringes the '842 Patent because the overall appearance of Rugged Road's 10 oz. Mug is substantially the same as the overall appearance of the design of the '842 Patent, and an ordinary observer would

perceive the overall appearance of Rugged Road's 10 oz. Mug to be substantially the same as the overall appearance of the design of the '842 Patent.

182. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

183. On information and belief, Rugged Road's infringement of the '842 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 10 oz. Mug to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

184. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

185. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

186. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XIII:
Patent Infringement of U.S. Patent No. D909,818 Under 35 U.S.C. § 271

187. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

188. Rugged Road has infringed and continues to infringe the '818 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 22 oz. Mug, which is covered by the claim of the '818 Patent.

189. Rugged Road's 22 oz. Mug infringes the '818 Patent because the overall appearance of Rugged Road's 22 oz. Mug is substantially the same as the overall appearance of the design of the '818 Patent, and an ordinary observer would perceive the overall appearance of Rugged Road's 22 oz. Mug to be substantially the same as the overall appearance of the design of the '818 Patent.

190. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

191. On information and belief, Rugged Road's infringement of the '818 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 22 oz. Mug to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

192. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

193. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

194. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XIV:

Patent Infringement of U.S. Patent No. D911,779 Under 35 U.S.C. § 271

195. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

196. Rugged Road has infringed and continues to infringe the '779 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 22 oz. Mug, which is covered by the claim of the '779 Patent.

197. Rugged Road's 22 oz. Mug infringes the '779 Patent because the overall appearance of Rugged Road's 22 oz. Mug is substantially the same as the overall appearance of the design of the '779 Patent, and an ordinary observer would perceive the overall appearance of Rugged Road's 22 oz. Mug to be substantially the same as the overall appearance of the design of the '779 Patent.

198. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

199. On information and belief, Rugged Road's infringement of the '779 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 22 oz. Mug to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

200. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

201. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

202. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XV:
Patent Infringement of U.S. Patent No. D774,837 Under 35 U.S.C. § 271

203. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

204. Rugged Road has infringed and continues to infringe the '837 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 18 oz. Bottle, which is covered by the claim of the '837 Patent.

205. Rugged Road's 18 oz. Bottle infringes the '837 Patent because the overall appearance of Rugged Road's 18 oz. Bottle is substantially the same as the overall appearance of the design of the '837 Patent, and an ordinary observer would perceive the overall appearance of Rugged Road's 18 oz. Bottle to be substantially the same as the overall appearance of the design of the '837 Patent.

206. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

207. On information and belief, Rugged Road's infringement of the '837 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 18 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

208. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

209. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

210. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XVI:
Patent Infringement of U.S. Patent No. D790,285 Under 35 U.S.C. § 271

211. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

212. Rugged Road has infringed and continues to infringe the '285 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 18 oz. Bottle, which is covered by the claim of the '285 Patent.

213. Rugged Road's 18 oz. Bottle infringes the '285 Patent because the overall appearance of Rugged Road's 18 oz. Bottle is substantially the same as the overall appearance of the design of the '285 Patent, and an ordinary observer would perceive the overall appearance of Rugged Road's 18 oz. Bottle to be substantially the same as the overall appearance of the design of the '285 Patent.

214. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

215. On information and belief, Rugged Road's infringement of the '285 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights, at least through its relationship with YETI; the similarity of Rugged Road's 18 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

216. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

217. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

218. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XVII:
Patent Infringement of U.S. Patent No. D794,397 Under 35 U.S.C. § 271

219. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

220. Rugged Road has infringed and continues to infringe the '397 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 18 oz. Bottle, which is covered by the claim of the '397 Patent.

221. Rugged Road's 18 oz. Bottle infringes the '397 Patent because the overall appearance of Rugged Road's 18 oz. Bottle is substantially the same as the overall appearance of the design of the '397 Patent, and an ordinary observer would perceive the overall appearance of Rugged Road's 18 oz. Bottle to be substantially the same as the overall appearance of the design of the '397 Patent.

222. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

223. On information and belief, Rugged Road's infringement of the '397 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 18 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

224. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

225. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

226. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XVIII:
Patent Infringement of U.S. Patent No. D795,019 Under 35 U.S.C. § 271

227. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

228. Rugged Road has infringed and continues to infringe the '019 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 18 oz. Bottle, which is covered by the claim of the '019 Patent.

229. Rugged Road's 18 oz. Bottle infringes the '019 Patent because the overall appearance of Rugged Road's 18 oz. Bottle is substantially the same as the overall appearance of the design of the '019 Patent, and an ordinary observer would perceive the overall appearance of Rugged Road's 18 oz. Bottle to be substantially the same as the overall appearance of the design of the '019 Patent.

230. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

231. On information and belief, Rugged Road's infringement of the '126 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 18 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

232. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

233. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

234. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XIX:

Patent Infringement of U.S. Patent No. D795,020 Under 35 U.S.C. § 271

235. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

236. Rugged Road has infringed and continues to infringe the '020 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 18 oz. Bottle, which is covered by the claim of the '020 Patent.

237. Rugged Road's 18 oz. Bottle infringes the '020 Patent because the overall appearance of Rugged Road's 18 oz. Bottle is substantially the same as the overall appearance of the design of the '020 Patent, and an ordinary observer would perceive the overall appearance of Rugged Road's 18 oz. Bottle to be substantially the same as the overall appearance of the design of the '020 Patent.

238. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

239. On information and belief, Rugged Road's infringement of the '020 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 18 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

240. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

241. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

242. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XX:
Patent Infringement of U.S. Patent No. D799,907 Under 35 U.S.C. § 271

243. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

244. Rugged Road has infringed and continues to infringe the '907 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 18 oz. Bottle, which is covered by the claim of the '907 Patent.

245. Rugged Road's 18 oz. Bottle infringes the '907 Patent because the overall appearance of Rugged Road's 18 oz. Bottle is substantially the same as the overall appearance of the design of the '907 Patent, and an ordinary observer would perceive the overall appearance of Rugged Road's 18 oz. Bottle to be substantially the same as the overall appearance of the design of the '907 Patent.

246. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

247. On information and belief, Rugged Road's infringement of the '907 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and

YETI's rights; the similarity of Rugged Road's 18 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

248. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

249. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

250. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XXI:
Patent Infringement of U.S. Patent No. D804,254 Under 35 U.S.C. § 271

251. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

252. Rugged Road has infringed and continues to infringe the '254 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 18 oz. Bottle, which is covered by the claim of the '254 Patent.

253. Rugged Road's 18 oz. Bottle infringes the '254 Patent because the overall appearance of Rugged Road's 18 oz. Bottle is substantially the same as the overall appearance of the design of the '254 Patent, and an ordinary observer would

perceive the overall appearance of Rugged Road's 18 oz. Bottle to be substantially the same as the overall appearance of the design of the '254 Patent.

254. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

255. On information and belief, Rugged Road's infringement of the '254 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 18 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

256. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

257. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

258. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XXII:
Patent Infringement of U.S. Patent No. D805,852 Under 35 U.S.C. § 271

259. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

260. Rugged Road has infringed and continues to infringe the '852 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 18 oz. Bottle, which is covered by the claim of the '852 Patent.

261. Rugged Road's 18 oz. Bottle infringes the '852 Patent because the overall appearance of Rugged Road's 18 oz. Bottle is substantially the same as the overall appearance of the design of the '852 Patent, and an ordinary observer would perceive the overall appearance of Rugged Road's 18 oz. Bottle to be substantially the same as the overall appearance of the design of the '852 Patent.

262. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

263. On information and belief, Rugged Road's infringement of the '852 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 18 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

264. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

265. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

266. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XXIII:
Patent Infringement of U.S. Patent No. D823,068 Under 35 U.S.C. § 271

267. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

268. Rugged Road has infringed and continues to infringe the '068 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 18 oz. Bottle, which is covered by the claim of the '068 Patent.

269. Rugged Road's 18 oz. Bottle infringes the '068 Patent because the overall appearance of Rugged Road's 18 oz. Bottle is substantially the same as the overall appearance of the design of the '068 Patent, and an ordinary observer would perceive the overall appearance of Rugged Road's 18 oz. Bottle to be substantially the same as the overall appearance of the design of the '068 Patent.

270. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

271. On information and belief, Rugged Road's infringement of the '068 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 18 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

272. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

273. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

274. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XXIV:
Patent Infringement of U.S. Patent No. D824,218 Under 35 U.S.C. § 271

275. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

276. Rugged Road has infringed and continues to infringe the '218 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 18 oz. Bottle, which is covered by the claim of the '218 Patent.

277. Rugged Road's 18 oz. Bottle infringes the '218 Patent because the overall appearance of the lid of Rugged Road's 18 oz. Bottle is substantially the same as the overall appearance of the design of the '218 Patent, and an ordinary observer would perceive the overall appearance of the lid of Rugged Road's 18 oz. Bottle to be substantially the same as the overall appearance of the design of the '218 Patent.

278. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

279. On information and belief, Rugged Road's infringement of the '218 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 18 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

280. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

281. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

282. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XXV:
Patent Infringement of U.S. Patent No. D878,874 Under 35 U.S.C. § 271

283. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

284. Rugged Road has infringed and continues to infringe the '874 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 18 oz. Bottle, which is covered by the claim of the '874 Patent.

285. Rugged Road's 18 oz. Bottle infringes the '874 Patent because the overall appearance of the lid of Rugged Road's 18 oz. Bottle is substantially the same as the overall appearance of the design of the '874 Patent, and an ordinary observer would perceive the overall appearance of the lid of Rugged Road's 18 oz. Bottle to be substantially the same as the overall appearance of the design of the '874 Patent.

286. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

287. On information and belief, Rugged Road's infringement of the '874 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 18 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

288. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

289. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

290. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XXVI:
Patent Infringement of U.S. Patent No. D919,377 Under 35 U.S.C. § 271

291. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

292. Rugged Road has infringed and continues to infringe the '377 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 18 oz. Bottle, which is covered by the claim of the '377 Patent.

293. Rugged Road's 18 oz. Bottle infringes the '377 Patent because the overall appearance of the lid of Rugged Road's 18 oz. Bottle is substantially the same as the overall appearance of the design of the '377 Patent, and an ordinary observer would perceive the overall appearance of the lid of Rugged Road's 18 oz. Bottle to be substantially the same as the overall appearance of the design of the '377 Patent.

294. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

295. On information and belief, Rugged Road's infringement of the '377 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 18 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

296. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

297. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

298. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XXVII:
Patent Infringement of U.S. Patent No. D960,659 Under 35 U.S.C. § 271

299. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

300. Rugged Road has infringed and continues to infringe the '659 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 18 oz. Bottle, which is covered by the claim of the '659 Patent.

301. Rugged Road's 18 oz. Bottle infringes the '659 Patent because the overall appearance of the lid of Rugged Road's 18 oz. Bottle is substantially the same as the overall appearance of the design of the '659 Patent, and an ordinary observer would perceive the overall appearance of the lid of Rugged Road's 18 oz. Bottle to be substantially the same as the overall appearance of the design of the '659 Patent.

302. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

303. On information and belief, Rugged Road's infringement of the '659 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 18 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

304. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

305. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

306. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XXVIII:
Patent Infringement of U.S. Patent No. D783,367 Under 35 U.S.C. § 271

307. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

308. Rugged Road has infringed and continues to infringe the '367 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 36 oz. Bottle, which is covered by the claim of the '367 Patent.

309. Rugged Road's 36 oz. Bottle infringes the '367 Patent because the overall appearance of the lid of Rugged Road's 36 oz. Bottle is substantially the same as the overall appearance of the design of the '367 Patent, and an ordinary observer would perceive the overall appearance of the lid of Rugged Road's 36 oz. Bottle to be substantially the same as the overall appearance of the design of the '367 Patent.

310. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

311. On information and belief, Rugged Road's infringement of the '367 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 36 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

312. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

313. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

314. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XXIX:
Patent Infringement of U.S. Patent No. D783,368 Under 35 U.S.C. § 271

315. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

316. Rugged Road has infringed and continues to infringe the '368 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 36 oz. Bottle, which is covered by the claim of the '368 Patent.

317. Rugged Road's 36 oz. Bottle infringes the '368 Patent because the overall appearance of the lid of Rugged Road's 36 oz. Bottle is substantially the same as the overall appearance of the design of the '368 Patent, and an ordinary observer would perceive the overall appearance of the lid of Rugged Road's 36 oz. Bottle to be substantially the same as the overall appearance of the design of the '368 Patent.

318. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

319. On information and belief, Rugged Road's infringement of the '368 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 36 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

320. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

321. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

322. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XXX:
Patent Infringement of U.S. Patent No. D784,775 Under 35 U.S.C. § 271

323. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

324. Rugged Road has infringed and continues to infringe the '775 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 36 oz. Bottle, which is covered by the claim of the '775 Patent.

325. Rugged Road's 36 oz. Bottle infringes the '775 Patent because the overall appearance of the lid of Rugged Road's 36 oz. Bottle is substantially the same as the overall appearance of the design of the '775 Patent, and an ordinary observer would perceive the overall appearance of the lid of Rugged Road's 36 oz. Bottle to be substantially the same as the overall appearance of the design of the '775 Patent.

326. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

327. On information and belief, Rugged Road's infringement of the '775 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 36 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

328. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

329. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

330. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XXXI:
Patent Infringement of U.S. Patent No. D799,906 Under 35 U.S.C. § 271

331. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

332. Rugged Road has infringed and continues to infringe the '906 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 36 oz. Bottle, which is covered by the claim of the '906 Patent.

333. Rugged Road's 36 oz. Bottle infringes the '906 Patent because the overall appearance of the lid of Rugged Road's 36 oz. Bottle is substantially the same as the overall appearance of the design of the '906 Patent, and an ordinary observer would perceive the overall appearance of the lid of Rugged Road's 36 oz. Bottle to be substantially the same as the overall appearance of the design of the '906 Patent.

334. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

335. On information and belief, Rugged Road's infringement of the '906 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 36 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

336. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

337. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

338. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XXXII:
Patent Infringement of U.S. Patent No. D804,256 Under 35 U.S.C. § 271

339. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

340. Rugged Road has infringed and continues to infringe the '256 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 36 oz. Bottle, which is covered by the claim of the '256 Patent.

341. Rugged Road's 36 oz. Bottle infringes the '256 Patent because the overall appearance of the lid of Rugged Road's 36 oz. Bottle is substantially the same as the overall appearance of the design of the '256 Patent, and an ordinary observer would perceive the overall appearance of the lid of Rugged Road's 36 oz. Bottle to be substantially the same as the overall appearance of the design of the '256 Patent.

342. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

343. On information and belief, Rugged Road's infringement of the '256 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 36 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

344. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

345. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

346. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XXXIII:
Patent Infringement of U.S. Patent No. D807,125 Under 35 U.S.C. § 271

347. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

348. Rugged Road has infringed and continues to infringe the '125 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 36 oz. Bottle, which is covered by the claim of the '125 Patent.

349. Rugged Road's 36 oz. Bottle infringes the '125 Patent because the overall appearance of the lid of Rugged Road's 36 oz. Bottle is substantially the same as the overall appearance of the design of the '125 Patent, and an ordinary observer would perceive the overall appearance of the lid of Rugged Road's 36 oz. Bottle to be substantially the same as the overall appearance of the design of the '125 Patent.

350. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

351. On information and belief, Rugged Road's infringement of the '125 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 36 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

352. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

353. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

354. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XXXIV:
Patent Infringement of U.S. Patent No. D807,126 Under 35 U.S.C. § 271

355. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

356. Rugged Road has infringed and continues to infringe the '126 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 36 oz. Bottle, which is covered by the claim of the '126 Patent.

357. Rugged Road's 36 oz. Bottle infringes the '126 Patent because the overall appearance of the lid of Rugged Road's 36 oz. Bottle is substantially the same as the overall appearance of the design of the '126 Patent, and an ordinary observer would perceive the overall appearance of the lid of Rugged Road's 36 oz. Bottle to be substantially the same as the overall appearance of the design of the '126 Patent.

358. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

359. On information and belief, Rugged Road's infringement of the '126 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 36 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

360. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

361. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

362. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XXXV:
Patent Infringement of U.S. Patent No. D823,069 Under 35 U.S.C. § 271

363. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

364. Rugged Road has infringed and continues to infringe the '069 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 36 oz. Bottle, which is covered by the claim of the '069 Patent.

365. Rugged Road's 36 oz. Bottle infringes the '069 Patent because the overall appearance of the lid of Rugged Road's 36 oz. Bottle is substantially the same as the overall appearance of the design of the '069 Patent, and an ordinary observer would perceive the overall appearance of the lid of Rugged Road's 36 oz. Bottle to be substantially the same as the overall appearance of the design of the '069 Patent.

366. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

367. On information and belief, Rugged Road's infringement of the '069 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 36 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

368. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

369. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

370. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XXXVI:
Patent Infringement of U.S. Patent No. D823,646 Under 35 U.S.C. § 271

371. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

372. Rugged Road has infringed and continues to infringe the '646 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 36 oz. Bottle, which is covered by the claim of the '646 Patent.

373. Rugged Road's 36 oz. Bottle infringes the '646 Patent because the overall appearance of the lid of Rugged Road's 36 oz. Bottle is substantially the same as the overall appearance of the design of the '646 Patent, and an ordinary observer would perceive the overall appearance of the lid of Rugged Road's 36 oz. Bottle to be substantially the same as the overall appearance of the design of the '646 Patent.

374. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

375. On information and belief, Rugged Road's infringement of the '646 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 36 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

376. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

377. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

378. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XXXVII:
Patent Infringement of U.S. Patent No. D875,479 Under 35 U.S.C. § 271

379. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

380. Rugged Road has infringed and continues to infringe the '479 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 36 oz. Bottle, which is covered by the claim of the '479 Patent.

381. Rugged Road's 36 oz. Bottle infringes the '479 Patent because the overall appearance of the lid of Rugged Road's 36 oz. Bottle is substantially the same as the overall appearance of the design of the '479 Patent, and an ordinary observer would perceive the overall appearance of the lid of Rugged Road's 36 oz. Bottle to be substantially the same as the overall appearance of the design of the '479 Patent.

382. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

383. On information and belief, Rugged Road's infringement of the '479 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 36 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

384. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

385. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

386. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XXXVIII:
Patent Infringement of U.S. Patent No. D899,870 Under 35 U.S.C. § 271

387. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

388. Rugged Road has infringed and continues to infringe the '870 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 36 oz. Bottle, which is covered by the claim of the '870 Patent.

389. Rugged Road's 36 oz. Bottle infringes the '870 Patent because the overall appearance of the lid of Rugged Road's 36 oz. Bottle is substantially the same as the overall appearance of the design of the '870 Patent, and an ordinary observer would perceive the overall appearance of the lid of Rugged Road's 36 oz. Bottle to be substantially the same as the overall appearance of the design of the '870 Patent.

390. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

391. On information and belief, Rugged Road's infringement of the '870 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 36 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

392. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

393. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

394. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XXXIX:
Patent Infringement of U.S. Patent No. D941,638 Under 35 U.S.C. § 271

395. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

396. Rugged Road has infringed and continues to infringe the '638 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 36 oz. Bottle, which is covered by the claim of the '638 Patent.

397. Rugged Road's 36 oz. Bottle infringes the '638 Patent because the overall appearance of the lid of Rugged Road's 36 oz. Bottle is substantially the same as the overall appearance of the design of the '638 Patent, and an ordinary observer would perceive the overall appearance of the lid of Rugged Road's 36 oz. Bottle to be substantially the same as the overall appearance of the design of the '638 Patent.

398. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

399. On information and belief, Rugged Road's infringement of the '638 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 36 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

400. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

401. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

402. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XL:
Patent Infringement of U.S. Patent No. D960,661 Under 35 U.S.C. § 271

403. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

404. Rugged Road has infringed and continues to infringe the '661 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 36 oz. Bottle, which is covered by the claim of the '661 Patent.

405. Rugged Road's 36 oz. Bottle infringes the '661 Patent because the overall appearance of the lid of Rugged Road's 36 oz. Bottle is substantially the same as the overall appearance of the design of the '661 Patent, and an ordinary observer would perceive the overall appearance of the lid of Rugged Road's 36 oz. Bottle to be substantially the same as the overall appearance of the design of the '661 Patent.

406. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

407. On information and belief, Rugged Road's infringement of the '661 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 36 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

408. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

409. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

410. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XLI:
Patent Infringement of U.S. Patent No. D774,363 Under 35 U.S.C. § 271

411. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

412. Rugged Road has infringed and continues to infringe the '363 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 64 oz. Bottle, which is covered by the claim of the '363 Patent.

413. Rugged Road's 64 oz. Bottle infringes the '363 Patent because the overall appearance of the lid of Rugged Road's 64 oz. Bottle is substantially the same as the overall appearance of the design of the '363 Patent, and an ordinary observer would perceive the overall appearance of the lid of Rugged Road's 64 oz. Bottle to be substantially the same as the overall appearance of the design of the '363 Patent.

414. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

415. On information and belief, Rugged Road's infringement of the '363 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 64 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

416. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

417. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

418. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XLII:
Patent Infringement of U.S. Patent No. D781,662 Under 35 U.S.C. § 271

419. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

420. Rugged Road has infringed and continues to infringe the '662 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 64 oz. Bottle, which is covered by the claim of the '662 Patent.

421. Rugged Road's 64 oz. Bottle infringes the '662 Patent because the overall appearance of the lid of Rugged Road's 64 oz. Bottle is substantially the same as the overall appearance of the design of the '662 Patent, and an ordinary observer would perceive the overall appearance of the lid of Rugged Road's 64 oz. Bottle to be substantially the same as the overall appearance of the design of the '662 Patent.

422. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

423. On information and belief, Rugged Road's infringement of the '662 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 64 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

424. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

425. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

426. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XLIII:
Patent Infringement of U.S. Patent No. D782,881 Under 35 U.S.C. § 271

427. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

428. Rugged Road has infringed and continues to infringe the '881 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 64 oz. Bottle, which is covered by the claim of the '881 Patent.

429. Rugged Road's 64 oz. Bottle infringes the '881 Patent because the overall appearance of the lid of Rugged Road's 64 oz. Bottle is substantially the same as the overall appearance of the design of the '881 Patent, and an ordinary observer would perceive the overall appearance of the lid of Rugged Road's 64 oz. Bottle to be substantially the same as the overall appearance of the design of the '881 Patent.

430. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

431. On information and belief, Rugged Road's infringement of the '881 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 64 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

432. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

433. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

434. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XLIV:
Patent Infringement of U.S. Patent No. D788,544 Under 35 U.S.C. § 271

435. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

436. Rugged Road has infringed and continues to infringe the '544 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 64 oz. Bottle, which is covered by the claim of the '544 Patent.

437. Rugged Road's 64 oz. Bottle infringes the '544 Patent because the overall appearance of the lid of Rugged Road's 64 oz. Bottle is substantially the same as the overall appearance of the design of the '544 Patent, and an ordinary observer would perceive the overall appearance of the lid of Rugged Road's 64 oz. Bottle to be substantially the same as the overall appearance of the design of the '544 Patent.

438. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

439. On information and belief, Rugged Road's infringement of the '544 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 64 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

440. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

441. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

442. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XLV:
Patent Infringement of U.S. Patent No. D799,908 Under 35 U.S.C. § 271

443. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

444. Rugged Road has infringed and continues to infringe the '908 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 64 oz. Bottle, which is covered by the claim of the '908 Patent.

445. Rugged Road's 64 oz. Bottle infringes the '908 Patent because the overall appearance of the lid of Rugged Road's 64 oz. Bottle is substantially the same as the overall appearance of the design of the '908 Patent, and an ordinary observer would perceive the overall appearance of the lid of Rugged Road's 64 oz. Bottle to be substantially the same as the overall appearance of the design of the '908 Patent.

446. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

447. On information and belief, Rugged Road's infringement of the '908 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 64 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

448. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

449. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

450. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XLVI:
Patent Infringement of U.S. Patent No. D803,632 Under 35 U.S.C. § 271

451. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

452. Rugged Road has infringed and continues to infringe the '632 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 64 oz. Bottle, which is covered by the claim of the '632 Patent.

453. Rugged Road's 64 oz. Bottle infringes the '632 Patent because the overall appearance of the lid of Rugged Road's 64 oz. Bottle is substantially the same as the overall appearance of the design of the '632 Patent, and an ordinary observer would perceive the overall appearance of the lid of Rugged Road's 64 oz. Bottle to be substantially the same as the overall appearance of the design of the '632 Patent.

454. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

455. On information and belief, Rugged Road's infringement of the '632 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 64 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

456. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

457. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

458. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XLVII:
Patent Infringement of U.S. Patent No. D804,255 Under 35 U.S.C. § 271

459. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

460. Rugged Road has infringed and continues to infringe the '255 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 64 oz. Bottle, which is covered by the claim of the '255 Patent.

461. Rugged Road's 64 oz. Bottle infringes the '255 Patent because the overall appearance of the lid of Rugged Road's 64 oz. Bottle is substantially the same as the overall appearance of the design of the '255 Patent, and an ordinary observer would perceive the overall appearance of the lid of Rugged Road's 64 oz. Bottle to be substantially the same as the overall appearance of the design of the '255 Patent.

462. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

463. On information and belief, Rugged Road's infringement of the '255 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 64 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

464. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

465. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

466. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XLVIII:
Patent Infringement of U.S. Patent No. D819,410 Under 35 U.S.C. § 271

467. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

468. Rugged Road has infringed and continues to infringe the '410 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 64 oz. Bottle, which is covered by the claim of the '410 Patent.

469. Rugged Road's 64 oz. Bottle infringes the '410 Patent because the overall appearance of the lid of Rugged Road's 64 oz. Bottle is substantially the same as the overall appearance of the design of the '410 Patent, and an ordinary observer would perceive the overall appearance of the lid of Rugged Road's 64 oz. Bottle to be substantially the same as the overall appearance of the design of the '410 Patent.

470. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

471. On information and belief, Rugged Road's infringement of the '410 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 64 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

472. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

473. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

474. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count XLIX:
Patent Infringement of U.S. Patent No. D820,650 Under 35 U.S.C. § 271

475. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

476. Rugged Road has infringed and continues to infringe the '650 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 64 oz. Bottle, which is covered by the claim of the '650 Patent.

477. Rugged Road's 64 oz. Bottle infringes the '650 Patent because the overall appearance of the lid of Rugged Road's 64 oz. Bottle is substantially the same as the overall appearance of the design of the '650 Patent, and an ordinary observer would perceive the overall appearance of the lid of Rugged Road's 64 oz. Bottle to be substantially the same as the overall appearance of the design of the '650 Patent.

478. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

479. On information and belief, Rugged Road's infringement of the '650 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 64 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

480. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

481. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

482. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count L:
Patent Infringement of U.S. Patent No. D872,542 Under 35 U.S.C. § 271

483. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

484. Rugged Road has infringed and continues to infringe the '542 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 64 oz. Bottle, which is covered by the claim of the '542 Patent.

485. Rugged Road's 64 oz. Bottle infringes the '542 Patent because the overall appearance of the lid of Rugged Road's 64 oz. Bottle is substantially the same as the overall appearance of the design of the '542 Patent, and an ordinary observer would perceive the overall appearance of the lid of Rugged Road's 64 oz. Bottle to be substantially the same as the overall appearance of the design of the '542 Patent.

486. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

487. On information and belief, Rugged Road's infringement of the '542 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 64 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

488. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

489. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

490. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count LI:
Patent Infringement of U.S. Patent No. D889,913 Under 35 U.S.C. § 271

491. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

492. Rugged Road has infringed and continues to infringe the '913 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 64 oz. Bottle, which is covered by the claim of the '913 Patent.

493. Rugged Road's 64 oz. Bottle infringes the '913 Patent because the overall appearance of the lid of Rugged Road's 64 oz. Bottle is substantially the same as the overall appearance of the design of the '913 Patent, and an ordinary observer would perceive the overall appearance of the lid of Rugged Road's 64 oz. Bottle to be substantially the same as the overall appearance of the design of the '913 Patent.

494. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

495. On information and belief, Rugged Road's infringement of the '913 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 64 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

496. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

497. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

498. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count LII:
Patent Infringement of U.S. Patent No. D922,152 Under 35 U.S.C. § 271

499. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

500. Rugged Road has infringed and continues to infringe the '152 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 64 oz. Bottle, which is covered by the claim of the '152 Patent.

501. Rugged Road's 64 oz. Bottle infringes the '152 Patent because the overall appearance of the lid of Rugged Road's 64 oz. Bottle is substantially the same as the overall appearance of the design of the '152 Patent, and an ordinary observer would perceive the overall appearance of the lid of Rugged Road's 64 oz. Bottle to be substantially the same as the overall appearance of the design of the '152 Patent.

502. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

503. On information and belief, Rugged Road's infringement of the '152 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 64 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

504. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

505. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

506. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count LIII:
Patent Infringement of U.S. Patent No. D943,357 Under 35 U.S.C. § 271

507. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

508. Rugged Road has infringed and continues to infringe the '357 Patent at least by using, selling, offering to sell, making, and/or importing into the United States Rugged Road's 64 oz. Bottle, which is covered by the claim of the '357 Patent.

509. Rugged Road's 64 oz. Bottle infringes the '357 Patent because the overall appearance of the lid of Rugged Road's 64 oz. Bottle is substantially the same as the overall appearance of the design of the '357 Patent, and an ordinary observer would perceive the overall appearance of the lid of Rugged Road's 64 oz. Bottle to be substantially the same as the overall appearance of the design of the '357 Patent.

510. Rugged Road's acts of infringement have been without express or implied license by YETI, are in violation of YETI's rights, and will continue unless enjoined by this Court.

511. On information and belief, Rugged Road's infringement of the '357 patent has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's 64 oz. Bottle to YETI's patented design; and by Rugged Road's continuing disregard for YETI's rights.

512. On information and belief, this is an exceptional case in view of Rugged Road's unlawful activities, including Rugged Road's intentional, willful, and malicious infringement.

513. YETI has been, is being, and will continue to be injured and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under at least 35 U.S.C. §§ 281, 284, 285, and 289.

514. Rugged Road also has caused, is causing, and will continue to cause irreparable harm to YETI for which there is no adequate remedy at law and for which YETI is entitled to injunctive relief under at least 35 U.S.C. § 283.

Count LIV:
Trade Dress Infringement Under § 43(a) of the Lanham Act, 15 U.S.C.
§ 1125(a)

515. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

516. Rugged Road's advertisements, promotions, offers to sell, sales, distribution, manufacture, and/or importing of the Infringing Drinkware Products violate § 43(a) of the Lanham Act, 15 U.S.C. § 1125(a), by infringing YETI's Trade Dress. Rugged Road's use of YETI's Trade Dress and/or colorable imitations thereof is likely to cause confusion, mistake, or deception as to the affiliation, connection, and/or association of Rugged Road with YETI and as to the origin, sponsorship, and/or approval of the Infringing Drinkware Products, at least by creating the false and misleading impression that the Infringing Drinkware Products are manufactured by, authorized by, or otherwise associated with YETI.

517. YETI's Trade Dress is entitled to protection under the Lanham Act. YETI's Trade Dress includes unique, distinctive, and non-functional designs. YETI has extensively and continuously promoted and used its trade dress in the United States. Through that extensive and continuous use, YETI's Trade Dress has become a well-known indicator of the origin and quality of YETI's products. YETI's Trade Dress has also acquired substantial secondary meaning in the marketplace. Moreover, YETI's Trade Dress acquired this secondary meaning before Rugged

Road commenced its unlawful use of YETI's Trade Dress in connection with the Infringing Drinkware Products.

518. Rugged Road's use of YETI's Trade Dress and/or colorable imitations thereof has caused and, unless enjoined, will continue to cause substantial and irreparable injury to YETI for which YETI has no adequate remedy at law, including at least substantial and irreparable injury to the goodwill and reputation for quality associated with YETI's Trade Dress, YETI's products, and YETI.

519. On information and belief, Rugged Road's use of YETI's Trade Dress and/or colorable imitations thereof has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights; the similarity of Rugged Road's Infringing Drinkware Products to YETI's Trade Dress, and by Rugged Road's continuing disregard for YETI's rights.

520. YETI is entitled to injunctive relief, and YETI is entitled to recover at least Rugged Road's profits, YETI's actual damages, enhanced damages, costs, and reasonable attorney fees under at least 15 U.S.C. §§ 1125(a), 1116, and 1117.

Count LV:
Trade Dress Dilution Under § 43(c) of the Lanham Act, 15 U.S.C. § 1125(c)

521. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

522. Based on the activities described above, including, for example, Rugged Road's advertising, marketing, promoting, offering for sale, selling, distributing, manufacturing, and/or importing the Infringing Drinkware Products, Rugged Road is likely to dilute, has diluted, and continues to dilute YETI's famous trade dress in violation of § 43(c) of the Lanham Act, 15 U.S.C. § 1125(c). Rugged Road's use of YETI's Trade Dress and/or colorable imitations thereof is likely to cause, and has caused, dilution of Rugged Road's famous trade dress at least by eroding the public's exclusive identification of YETI's famous trade dress with YETI and YETI's products, by lessening the capacity of YETI's famous trade dress to identify and distinguish YETI's products, by associating YETI's Trade Dress with products of inferior quality, and by impairing the distinctiveness of YETI's famous trade dress.

523. YETI's Trade Dress is famous and is entitled to protection under the Lanham Act. YETI's Trade Dress includes a unique, distinctive, and non-functional design. YETI's Trade Dress has acquired distinctiveness through YETI's extensive and continuous promotion and use of YETI's Trade Dress in the United States. Through that extensive and continuous use, YETI's Trade Dress has become a famous well-known indicator of the origin and quality of YETI's products throughout the United States, and is widely recognized by the general consuming public as a designation of the source of YETI and YETI's products. YETI's Trade

Dress has also acquired substantial secondary meaning in the marketplace. Moreover, YETI's Trade Dress became famous and acquired this secondary meaning before Rugged Road commenced its unlawful use of YETI's Trade Dress in connection with the Infringing Drinkware Products.

524. Rugged Road's use of YETI's Trade Dress and/or colorable imitations thereof has caused, and, unless enjoined, will continue to cause, substantial and irreparable injury to YETI for which YETI has no adequate remedy at law, including at least substantial and irreparable injury to the goodwill and reputation for quality associated with YETI's Trade Dress, YETI's products, and YETI.

525. On information and belief, Rugged Road's use of YETI's Trade Dress and/or colorable imitations thereof has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights, the similarity of Rugged Road's Infringing Drinkware Products to YETI's Trade Dress, and Rugged Road's continuing disregard for YETI's rights.

526. YETI is entitled to injunctive relief, and YETI is also entitled to recover at least Rugged Road's profits, YETI's actual damages, enhanced profits and damages, costs, and reasonable attorney fees under at least 15 U.S.C. §§ 1125(c), 1116, and 1117.

Count LVI:
Unfair Competition and False Designation of Origin Under § 43(a)
of the Lanham Act, 15 U.S.C. § 1125(a)

527. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

528. Rugged Road's advertisements, marketing, promotions, offers to sell, sales, distribution, manufacture, and/or importing of the Infringing Drinkware Products, in direct competition with YETI, violate § 43(a) of the Lanham Act, 15 U.S.C. § 1125(a), and constitute unfair competition and false designation of origin, at least because Rugged Road has obtained an unfair advantage as compared to YETI through Rugged Road's use of YETI's Trade Dress, and because such use is likely to cause consumer confusion as to the origin, sponsorship, and/or affiliation of Rugged Road's Infringing Drinkware Products, at least by creating the false and misleading impression that its Infringing Drinkware Products are manufactured by, authorized by, or otherwise associated with YETI.

529. YETI's Trade Dress is entitled to protection under the Lanham Act. YETI's Trade Dress includes a unique, distinctive, and non-functional design. YETI has extensively and continuously promoted and used its trade dress in the United States. Through that extensive and continuous use, YETI's Trade Dress has become a well-known indicator of the origin and quality of YETI's products. YETI's Trade Dress has also acquired substantial secondary meaning in the marketplace.

Moreover, YETI's Trade Dress acquired this secondary meaning before Rugged Road commenced its unlawful use of YETI's Trade Dress in connection with the Infringing Drinkware Products.

530. Rugged Road's use of YETI's Trade Dress and/or colorable imitations thereof has caused and, unless enjoined, will continue to cause substantial and irreparable injury to YETI for which YETI has no adequate remedy at law, including at least substantial and irreparable injury to the goodwill and reputation for quality associated with YETI's Trade Dress, YETI's products, and YETI.

531. On information and belief, Rugged Road's use of YETI's Trade Dress and/or colorable imitations thereof has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights, the similarity of Rugged Road's Infringing Drinkware Products to YETI's Trade Dress, and Rugged Road's continuing disregard for YETI's rights.

532. YETI is entitled to injunctive relief, and YETI is also entitled to recover at least Rugged Road's profits, YETI's actual damages, enhanced damages, costs, and reasonable attorney fees under at least 15 U.S.C. §§ 1125(a), 1116, and 1117.

Count LVII:
Violation of the Georgia Uniform Deceptive Trade Practices Act
(O.C.G.A. § 10-1-370)

533. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

534. YETI's Trade Dress includes a unique, distinctive, and non-functional design. YETI has extensively and continuously promoted and used its trade dress in the United States and the State of Georgia. Through that extensive and continuous use, YETI's Trade Dress has become a well-known indicator of the origin and quality of YETI's products. YETI's Trade Dress has also acquired substantial secondary meaning in the marketplace. Moreover, YETI's Trade Dress acquired this secondary meaning before Rugged Road commenced its unlawful use of YETI's Trade Dress in connection with its Infringing Drinkware Products.

535. Rugged Road's advertisements, marketing, promotions, offers to sell, sales, and distribution of the Infringing Drinkware Products, in direct competition with YETI, constitutes an unfair method of competition as well as deceptive trade practices in violation of O.C.G.A. § 10-1-370 *et seq.*, which bars deceptive business practices in the conduct of any business, trade, or commerce in the State of Georgia.

536. Specifically, Rugged Road's use of YETI's Trade Dress, and/or colorable imitations thereof, is likely to cause consumer confusion as to the origin, sponsorship, and/or affiliation of its Infringing Drinkware Products, at least by

creating the false and misleading impression that its Infringing Drinkware Products are manufactured by, authorized by, or otherwise associated with YETI.

537. Rugged Road's unlawful acts described above were conducted in the State of Georgia and were directed to residents of the State of Georgia.

538. Rugged Road's use of YETI's Trade Dress and/or colorable imitations thereof has caused and, unless enjoined, will continue to cause substantial and irreparable injury to YETI for which YETI has no adequate remedy at law, including at least substantial and irreparable injury to the goodwill and reputation for quality associated with YETI's Trade Dress, YETI's products, and YETI.

539. On information and belief, Rugged Road's use of YETI's Trade Dress and/or colorable imitations thereof has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights, the similarity of Rugged Road's Infringing Drinkware Products to YETI's Trade Dress, and Rugged Road's continuing disregard for YETI's rights.

540. YETI is entitled to injunctive relief, and YETI is also entitled to recover at least YETI's damages, Rugged Road's profits, punitive damages, costs, and reasonable attorney fees pursuant to O.C.G.A. § 10-1-373(a) & (b).

Count LVIII:
Trade Dress Dilution Under Tex. Bus. & Com. Code § 16.103

541. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

542. Based on the activities described above, including, for example, Rugged Road's advertising, marketing, promoting, offering for sale, selling, distributing, manufacturing, and/or importing the Infringing Drinkware Products, Rugged Road is likely to dilute, has diluted, and continues to dilute YETI's Trade Dress in violation of § 16.103 of the Texas Business & Commerce Code. Rugged Road's use of YETI's Trade Dress and/or colorable imitations thereof is likely to cause, and has caused, dilution of YETI's famous trade dress at least by eroding the public's exclusive identification of YETI's famous trade dress with YETI, by lessening the capacity of YETI's famous trade dress to identify and distinguish YETI's products, by associating YETI's Trade Dress with products of inferior quality, and by impairing the distinctiveness of YETI's famous trade dress.

543. YETI's Trade Dress is famous and is entitled to protection under Texas law. YETI's Trade Dress includes unique, distinctive, and non-functional designs. YETI has extensively and continuously promoted and used its trade dress in the United States and in the State of Texas. Through that extensive and continuous use, YETI's Trade Dress has become a famous, well-known indicator of the origin and quality of YETI's products in the United States and in the State of Texas generally

and in geographic areas in Texas, and YETI's Trade Dress is widely recognized by the public throughout Texas and in geographic areas in Texas as a designation of the source of YETI and YETI's products. YETI's Trade Dress has also acquired substantial secondary meaning in the marketplace, including in the State of Texas and in geographic areas in Texas. Moreover, YETI's Trade Dress became famous and acquired this secondary meaning before Rugged Road commenced its unlawful use of YETI's Trade Dress in connection with the Infringing Drinkware Products.

544. Rugged Road's use of YETI's Trade Dress and/or colorable imitations thereof has caused, and, unless enjoined, will continue to cause, substantial and irreparable injury to YETI for which YETI has no adequate remedy at law, including at least substantial and irreparable injury to the goodwill and reputation for quality associated with YETI's Trade Dress, YETI's products, and YETI.

545. On information and belief, Rugged Road's use of YETI's Trade Dress and/or colorable imitations thereof has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights, the similarity of Rugged Road's Infringing Drinkware Products to YETI's Trade Dress, and Rugged Road's continuing disregard for YETI's rights.

546. YETI is entitled to injunctive relief, and YETI is also entitled to recover at least Rugged Road's profits, YETI's actual damages, enhanced profits and

damages, and reasonable attorney fees under at least Tex. Bus. & Com. Code § 16.104.

Count LIX:
Common Law Trade Dress Infringement

547. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

548. Rugged Road's advertisements, marketing, promotions, offers to sell, sales, distribution, manufacture, and/or importing of the Infringing Drinkware Products, in direct competition with YETI, constitute common law trade dress infringement, at least because Rugged Road's use of YETI's Trade Dress and/or colorable imitations thereof is likely to cause consumer confusion as to the origin, sponsorship, and/or affiliation of its Infringing Drinkware Products, at least by creating the false and misleading impression that its Infringing Drinkware Products are manufactured by, authorized by, or otherwise associated with YETI.

549. YETI's Trade Dress is entitled to protection under the common law. YETI's Trade Dress includes a unique, distinctive, and non-functional design. YETI has extensively and continuously promoted and used its trade dress in the United States and the State of Georgia. Through that extensive and continuous use, YETI's Trade Dress has become a well-known indicator of the origin and quality of YETI's products. YETI's Trade Dress has also acquired substantial secondary meaning in the marketplace. Moreover, YETI's Trade Dress acquired this secondary meaning

before Rugged Road commenced its unlawful use of YETI's Trade Dress in connection with its Infringing Drinkware Products.

550. Rugged Road's use of YETI's Trade Dress and/or colorable imitations thereof has caused and, unless enjoined, will continue to cause substantial and irreparable injury to YETI for which YETI has no adequate remedy at law, including at least substantial and irreparable injury to the goodwill and reputation for quality associated with YETI's Trade Dress, YETI's products, and YETI.

551. On information and belief, Rugged Road's use of YETI's Trade Dress and/or colorable imitations thereof has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights, the similarity of Rugged Road's Infringing Drinkware Products to YETI's Trade Dress, and Rugged Road's continuing disregard for YETI's rights.

552. YETI is entitled to injunctive relief, and YETI is also entitled to recover at least YETI's damages, Rugged Road's profits, punitive damages, costs, and reasonable attorney fees.

Count LX:
Common Law Unfair Competition

553. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

554. Rugged Road's advertisements, marketing, promotions, offers to sell, sales, distribution, manufacture, and/or importing of the Infringing Drinkware Products, in direct competition with YETI, constitute common law unfair competition, at least by palming off/passing off of Rugged Road's goods, by simulating YETI's Trade Dress in an intentional and calculated manner that is likely to cause consumer confusion as to origin, sponsorship, and/or affiliation of Rugged Road's infringing products, at least by creating the false and misleading impression that its Infringing Drinkware Products are manufactured by, authorized by, or otherwise associated with YETI. Rugged Road has also interfered with YETI's business.

555. YETI's Trade Dress is entitled to protection under the common law. YETI's Trade Dress includes a unique, distinctive, and non-functional design. YETI has extensively and continuously promoted and used YETI's Trade Dress for years in the United States and the State of Georgia. Through that extensive and continuous use, YETI's Trade Dress has become a well-known indicator of the origin and quality of YETI's products. YETI's Trade Dress has also acquired substantial secondary meaning in the marketplace. Moreover, YETI's Trade Dress acquired this secondary meaning before Rugged Road commenced its unlawful use of YETI's Trade Dress in connection with its Infringing Drinkware Products.

556. Rugged Road's use of YETI's Trade Dress and/or colorable imitations thereof has caused and, unless enjoined, will continue to cause substantial and irreparable injury to YETI for which YETI has no adequate remedy at law, including at least substantial and irreparable injury to the goodwill and reputation for quality associated with YETI's Trade Dress, YETI's products, and YETI.

557. On information and belief, Rugged Road's use of YETI's Trade Dress and/or colorable imitations thereof has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights, the similarity of Rugged Road's Infringing Drinkware Products to YETI's Trade Dress, and Rugged Road's continuing disregard for YETI's rights.

558. YETI is entitled to injunctive relief, and YETI is also entitled to recover at least YETI's damages, Rugged Road's profits, punitive damages, costs, and reasonable attorney fees.

Count LXI:
Common Law Misappropriation

559. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

560. Rugged Road's advertisements, promotions, offers to sell, sales, distribution, manufacture, and/or importing of the Infringing Drinkware Products, in direct competition with YETI, constitute common law misappropriation.

561. YETI created the products covered by YETI's Trade Dress through extensive time, labor, effort, skill, and money. Rugged Road has wrongfully used YETI's Trade Dress and/or colorable imitations thereof in direct competition with YETI and gained a special advantage because Rugged Road was not burdened with the expenses incurred by YETI. Rugged Road has commercially damaged YETI, at least by causing consumer confusion as to origin, sponsorship, and/or affiliation of Rugged Road's infringing products, by creating the false and misleading impression that its Infringing Drinkware Products are manufactured by, authorized by, or otherwise associated with YETI, and by taking away sales that YETI would have made.

562. YETI's Trade Dress is entitled to protection under the common law. YETI's Trade Dress includes unique, distinctive, and non-functional designs. YETI has extensively and continuously promoted and used YETI's Trade Dress for years in the United States and the State of Georgia. Through that extensive and continuous use, YETI's Trade Dress has become a well-known indicator of the origin and quality of YETI's products. YETI's Trade Dress has also acquired substantial secondary meaning in the marketplace. Moreover, YETI's Trade Dress acquired this secondary meaning before Rugged Road commenced its unlawful use of YETI's Trade Dress in connection with its Infringing Drinkware Products.

563. Rugged Road's use of YETI's Trade Dress and/or colorable imitations thereof has caused and, unless enjoined, will continue to cause substantial and irreparable commercial injury to YETI for which YETI has no adequate remedy at law, including at least substantial and irreparable injury to the goodwill and reputation for quality associated with YETI's Trade Dress, YETI's products, and YETI. Moreover, as a result of its misappropriation, Rugged Road has profited and, unless such conduct is enjoined by this Court, will continue to profit by misappropriating the time, effort, and money that YETI invested in establishing the reputation and goodwill associated with YETI's Trade Dress, YETI's products, and YETI.

564. Rugged Road's misappropriation of YETI's Trade Dress and/or colorable imitations thereof has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights, the similarity of Rugged Road's Infringing Drinkware Products to YETI's Trade Dress, and Rugged Road's continuing disregard for YETI's rights.

565. YETI is entitled to injunctive relief, and YETI is also entitled to recover at least YETI's damages, Rugged Road's profits, punitive damages, costs, and reasonable attorney fees.

Count LXII:
Unjust Enrichment

566. YETI realleges and incorporates the allegations set forth in paragraphs 1 through 85 as though fully set forth herein.

567. Rugged Road's advertisements, promotions, offers to sell, sales, distribution, manufacture, and/or importing of its Infringing Drinkware Products, in direct competition with YETI, constitute unjust enrichment, at least because Rugged Road has wrongfully obtained benefits at YETI's expense. Rugged Road has also, *inter alia*, operated with an undue advantage.

568. YETI created the products covered by YETI's Trade Dress through extensive time, labor, effort, skill, and money. Rugged Road has wrongfully used and is wrongfully using YETI's Trade Dress, and/or colorable imitations thereof, in direct competition with YETI, and has gained and is gaining a wrongful benefit by undue advantage through such use. Rugged Road has not been burdened with the expenses incurred by YETI, yet Rugged Road is obtaining the resulting benefits for its own business and products.

569. YETI's Trade Dress is entitled to protection under the common law. YETI's Trade Dress includes unique, distinctive, and non-functional designs. YETI has extensively and continuously promoted and used YETI's Trade Dress for years in the United States and the State of Georgia. Through that extensive and continuous use, YETI's Trade Dress has become a well-known indicator of the origin and

quality of YETI's products. YETI's Trade Dress has also acquired substantial secondary meaning in the marketplace. Moreover, YETI's Trade Dress acquired this secondary meaning before Rugged Road commenced its unlawful use of YETI's Trade Dress and colorable imitations thereof in connection with its infringing products.

570. Rugged Road's use of YETI's Trade Dress and/or colorable imitations thereof has caused and, unless enjoined, will continue to cause substantial and irreparable commercial injury to YETI for which YETI has no adequate remedy at law, including at least substantial and irreparable injury to the goodwill and reputation for quality associated with YETI's Trade Dress, YETI's products, and YETI. YETI accumulated this goodwill and reputation through extensive time, labor, effort, skill, and investment. Rugged Road has wrongfully obtained and is wrongfully obtaining a benefit at YETI's expense by taking undue advantage and free-riding on YETI's efforts and investments, and enjoying the benefits of YETI's hard-earned goodwill and reputation.

571. Rugged Road's unjust enrichment at YETI's expense has been intentional, willful, and malicious. Rugged Road's bad faith is evidenced at least by Rugged Road's knowledge of YETI, YETI products, and YETI's rights, the similarity of Rugged Road's Infringing Drinkware Products to YETI's Trade Dress, and Rugged Road's continuing disregard for YETI's rights.

572. YETI is entitled to injunctive relief, and YETI is also entitled to recover at least Rugged Road's profits.

Demand for Jury Trial

YETI hereby demands a jury trial on all issues so triable.

Prayer for Relief

WHEREFORE, Plaintiff YETI respectfully prays for:

1. Judgment that Rugged Road has (i) infringed the '716 Patent in violation of § 271 of Title 35 of the United States Code; (ii) infringed the '422 Patent in violation of § 271 of Title 35 of the United States Code; (iii) infringed the '157 Patent in violation of § 271 of Title 35 of the United States Code; (iv) infringed the '934 Patent in violation of § 271 of Title 35 of the United States Code; (v) infringed the '177 Patent in violation of § 271 of Title 35 of the United States Code; (vi) infringed the '221 Patent in violation of § 271 of Title 35 of the United States Code; (vii) infringed the '222 Patent in violation of § 271 of Title 35 of the United States Code; (viii) infringed the '824 Patent in violation of § 271 of Title 35 of the United States Code; (ix) infringed the '613 Patent in violation of § 271 of Title 35 of the United States Code; (x) infringed the '343 Patent in violation of § 271 of Title 35 of the United States Code; (xi) infringed the '862 Patent in violation of § 271 of Title 35 of the United States Code; (xii) infringed the '842 Patent in violation of § 271 of Title 35 of the United States Code; (xiii) infringed the '818 Patent in violation of §

271 of Title 35 of the United States Code; (xiv) infringed the '779 Patent in violation of § 271 of Title 35 of the United States Code; (xv) infringed the '837 Patent in violation of § 271 of Title 35 of the United States Code; (xvi) infringed the '285 Patent in violation of § 271 of Title 35 of the United States Code; (xvii) infringed the '397 Patent in violation of § 271 of Title 35 of the United States Code; (xviii) infringed the '019 Patent in violation of § 271 of Title 35 of the United States Code; (xix) infringed the '020 Patent in violation of § 271 of Title 35 of the United States Code; (xx) infringed the '907 Patent in violation of § 271 of Title 35 of the United States Code; (xxi) infringed the '254 Patent in violation of § 271 of Title 35 of the United States Code; (xxii) infringed the '852 Patent in violation of § 271 of Title 35 of the United States Code; (xxiii) infringed the '068 Patent in violation of § 271 of Title 35 of the United States Code; (xxiv) infringed the '218 Patent in violation of § 271 of Title 35 of the United States Code; (xxv) infringed the '874 Patent in violation of § 271 of Title 35 of the United States Code; (xxvi) infringed the '377 Patent in violation of § 271 of Title 35 of the United States Code; (xxvii) infringed the '659 Patent in violation of § 271 of Title 35 of the United States Code; (xxviii) infringed the '367 Patent in violation of § 271 of Title 35 of the United States Code; (xxix) infringed the '368 Patent in violation of § 271 of Title 35 of the United States Code; (xxx) infringed the '775 Patent in violation of § 271 of Title 35 of the United States Code; (xxxii) infringed the '906 Patent in violation of § 271 of Title 35 of the

United States Code; (xxxii) infringed the '256 Patent in violation of § 271 of Title 35 of the United States Code; (xxxiii) infringed the '125 Patent in violation of § 271 of Title 35 of the United States Code; (xxxiv) infringed the '126 Patent in violation of § 271 of Title 35 of the United States Code; (xxxv) infringed the '069 Patent in violation of § 271 of Title 35 of the United States Code; (xxxvi) infringed the '646 Patent in violation of § 271 of Title 35 of the United States Code; (xxxvii) infringed the '479 Patent in violation of § 271 of Title 35 of the United States Code; (xxxviii) infringed the '870 Patent in violation of § 271 of Title 35 of the United States Code; (xxxix) infringed the '638 Patent in violation of § 271 of Title 35 of the United States Code; (xl) infringed the '661 Patent in violation of § 271 of Title 35 of the United States Code; (xli) infringed the '363 Patent in violation of § 271 of Title 35 of the United States Code; (xlii) infringed the '662 Patent in violation of § 271 of Title 35 of the United States Code; (xliii) infringed the '881 Patent in violation of § 271 of Title 35 of the United States Code; (xliv) infringed the '544 Patent in violation of § 271 of Title 35 of the United States Code; (xlv) infringed the '908 Patent in violation of § 271 of Title 35 of the United States Code; (xlvi) infringed the '632 Patent in violation of § 271 of Title 35 of the United States Code; (xlvii) infringed the '255 Patent in violation of § 271 of Title 35 of the United States Code; (xlviii) infringed the '410 Patent in violation of § 271 of Title 35 of the United States Code; (xlix) infringed the '650 Patent in violation of § 271 of Title 35 of the United States

Code; (l) infringed the '542 Patent in violation of § 271 of Title 35 of the United States Code; (li) infringed the '913 Patent in violation of § 271 of Title 35 of the United States Code; (lii) infringed the '152 Patent in violation of § 271 of Title 35 of the United States Code; (liii) infringed the '357 Patent in violation of § 271 of Title 35 of the United States Code; (liv) infringed YETI's Trade Dress in violation of § 1125(a) of Title 15 in the United States Code; (lv) diluted YETI's Trade Dress in violation of § 1125(c) of Title 15 in the United States Code; (lvi) engaged in unfair competition and false designation of origin in violation of § 1125(a) of Title 15 in the United States Code; (lvii) violated YETI's rights in YETI's Trade Dress, which constitutes an unfair method of competition and deceptive trade practices in violation of O.C.G.A. § 10-1-370 *et seq*; (lviii) diluted YETI's Trade Dress in violation of Tex. Bus. & Com. Code § 16.103; (lix) violated YETI's common law rights in YETI's Trade Dress; (lx) engaged in common law unfair competition; (lxi) engaged in common law misappropriation; (lxii) been unjustly enriched at YETI's expense, and that all of these wrongful activities by Rugged Road were willful;

2. An injunction against further infringement of YETI's patents, further infringement and dilution of YETI's Trade Dress, and further acts of unfair competition, misappropriation, and unjust enrichment by Rugged Road, and each of its agents, employees, servants, attorneys, successors and assigns, and all others in

privity or acting in concert with any of them, pursuant to at least 35 U.S.C. § 283, 15 U.S.C. § 1116, Tex. Bus. & Com. Code § 16.104, and O.C.G.A. § 10-1-373(a);

3. An Order directing Rugged Road to recall all infringing products sold and/or distributed and provide a full refund for all recalled infringing products;

4. An Order directing the destruction of (i) all Infringing Drinkware Products, including all recalled Infringing Drinkware Products, (ii) any other products that use a copy, reproduction, or colorable imitation of YETI's Trade Dress in Rugged Road's possession or control, (iii) all plates, molds, and other means of making the Infringing Drinkware Products in Rugged Road's possession, custody, or control, and (iv) all advertising materials related to the Infringing Drinkware Products in Rugged Road's possession, custody, or control, including on the Internet, pursuant to at least 15 U.S.C. § 1118;

5. An Order directing Rugged Road to publish a public notice providing proper attribution of YETI's Trade Dress to YETI, and to provide a copy of this notice to all customers, distributors, and/or others from whom the Infringing Drinkware Products are recalled;

6. An Order barring importation of the Infringing Drinkware Products and/or colorable imitations thereof into the United States, and barring entry of the Infringing Drinkware Products and/or colorable imitations thereof into any customhouse of the United States, pursuant to at least 15 U.S.C. § 1125(b);

7. An award of damages adequate to compensate YETI for Rugged Road's patent infringements pursuant at least to 35 U.S.C. § 284, and an award for Rugged Road's profits from its patent infringements pursuant at least to 35 U.S.C. § 289, together with prejudgment interest and costs and reasonable attorney fees, pursuant at least to 35 U.S.C. §§ 284 and 285;

8. An award of Rugged Road's profits, YETI's actual damages, enhanced damages, punitive damages, exemplary damages, costs, prejudgment and post judgment interest, and reasonable attorney fees pursuant to at least 15 U.S.C. §§ 1125(a), 1125(c), 1116, and 1117, Tex. Bus. & Com. Code § 16.104, and O.C.G.A. § 10-1-373(b); and

9. Such other and further relief as this Court deems just and proper.

Dated: April 19, 2024

Respectfully submitted,

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