

FILED

08 FEB 26 PM 12:35

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

Vern Schooley (State Bar No. 40301)
I. Morley Drucker (State Bar No. 29505)
Michael J. Moffatt (State Bar No. 180343)
Jessica L. Brookhart-Knost (State Bar No. 246244)
FULWIDER PATTON LLP
6060 Center Drive, 10th Floor
Los Angeles, California 90045
Telephone: (310) 824-5555
Facsimile: (310) 8234-9696
litdocketla@fulpat.com

Attorneys for Plaintiff,
Prestige Autotech Corporation

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

PRESTIGE AUTOTECH
CORPORATION, a California
corporation

Plaintiff,

v.

XPOWER WHEELS &
ACCESSORIES, INC., a California
corporation, CHOICE AUTO, INC., a
California corporation d/b/a XPOWER
and MERCELI WHEELS

Defendant.

CASE NO. CV07-06824 GW(JCRx)

FIRST AMENDED COMPLAINT FOR
PATENT INFRINGEMENT;

DEMAND FOR JURY TRIAL

I. JURISDICTION

1. This is an action for patent infringement in violation of the patent laws of the laws of the United States, 35 U.S.C. § 1, et seq. This court has jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

2. Venue is proper under 28 U.S.C. §§1391(c) and 1400(b) in that Defendant resides in this judicial district.

///

1 **I. PARTIES**

2 1. Plaintiff Prestige Autotech Corporation ("Prestige") is a corporation
3 organized and existing under the laws of California, and has its principal place of
4 business at 14035 Pipeline Avenue, Chino, California 91710.

5 2. Defendant XPower Wheels & Accessories, Inc. ("XPOWER" or
6 "Defendant") is a corporation organized and existing under the laws of California
7 and, upon information and belief, has its principal place of business at 6213
8 Randolph Street, City of Commerce, California 90040.

9 3. Plaintiff has attempted formal service on defendant XPOWER and its
10 registered agent five separate times. Plaintiff attempted to serve XPOWER through
11 its registered agent, Phoebe Lau, on October 23, 2007, November 14, 2007, and
12 February 19, 2008, but Ms. Lau could not be found. Exhibit A.

13 4. Plaintiff has twice attempted formal service on Defendant XPOWER at
14 its business location at 6213 Randolph Street in the City of Commerce. Exhibit A.
15 On October 23, 2007, despite the business location having featured signage for
16 "XPower", the employee on duty claimed that the company was not XPower Wheels
17 and Accessories Inc., but rather Choice Auto, Inc. whose owner is Matthew Choy.
18 The employee refused to accept service. Exhibit A. Then, on February 19, 2008,
19 Plaintiff again attempted service at XPOWER's same business address but, this time,
20 the employee claimed that the company was actually named "Merceli Wheels"
21 (instead of Choice Auto), and offered a business card for Sales Manager Braulio
22 Uribe who, upon information and belief, is also the Sales Manager for Defendant
23 XPOWER. See Exhibit A.

24 5. The business records of California's Secretary of State and the Los
25 Angeles County Recorder's Office identify a corporate record for a Choice Auto,
26 Inc., which has registered fictitious business names for XPower and Merceli.
27 Exhibit B. However, the Secretary of State's records indicate that Defendant
28 XPOWER remains active as a corporate entity with a business location at 6213

1 Randolph Street in the City of Commerce, which is further substantiated by
2 XPOWER's website. See Exhibit C.

3 6. After recently learning that Defendant XPower now claims to be
4 "Merceli Wheels" and based upon Plaintiff's reasonable efforts to further ascertain
5 the identity of the corporate defendants, upon information and belief, XPOWER is a
6 subsidiary of Defendant Choice Auto, Inc. ("CHOICE AUTO"), a California
7 corporation with a principal place of business at 110 E. 9th St., Ste. A1169, Los
8 Angeles, California 90079. See Exhibit B.

9 7. Upon information and belief, Defendant CHOICE AUTO controls and
10 manages the activities of Defendant XPOWER and conducts business under its
11 assumed names at 6213 Randolph Street, City of Commerce, California 90040. See
12 Exhibit A.

13 **II. FACTUAL BACKGROUND**

14 8. Plaintiff, Prestige, has been engaged continuously for a number of
15 years in the business of design and distribution of custom wheels for automobiles.
16 Prestige's products are sold primarily to automobile dealers and retail distributors of
17 automobile wheels throughout the United States.

18 9. On April 27, 2004, Prestige filed an application, Serial No. 29/204,316
19 with the United States Patent and Trademark Office ("PTO") to obtain a design
20 patent on an original and unique wheel design, which wheel is known commercially
21 as the ORIGIN wheel. The application was filed in the name of A. Kushartanto, the
22 ORIGIN wheel design's inventor and was assigned to PT Prima Alloy Steel
23 Universal. A patent for the ORIGIN wheel design entitled "Vehicle Wheel", Patent
24 Number D505,372 ("the '372 Patent") issued on May 24, 2005. A copy of the '372
25 Patent is attached as Exhibit D. The rights in the '372 Patent and right to recover
26 damages were assigned to Prestige.

27 ///

28 ///

1 10. Notwithstanding Prestige's rights in its ORIGIN wheel design,
2 Defendants have manufactured, caused to have manufactured, imported, offered for
3 sale and/or sold wheels appropriating the design of the '372 Patent, including but not
4 limited to a wheel sold under the trademark 859 SPLIT SIX in the United States and
5 wheel model number B1859. Defendants' 859 SPLIT SIX wheel and B1859 wheel
6 are identical or substantially similar in appearance, and have the same general
7 appearance and visual effect as the ornamental design for the vehicle wheel claimed
8 in the '372 Patent. A webpage printout from Defendants' website showing the 859
9 SPLIT SIX and the B1859 wheel are attached hereto as Exhibits E and F,
10 respectively.

11 11. Defendants use of Prestige's original and distinctive ORIGIN wheel
12 design has been and is without the consent or authorization of Prestige.

13 12. On August 8, 2007, Plaintiff Prestige sent a notice to XPOWER of its
14 unauthorized and infringing use, manufacture, cause to have manufactured, offers
15 for sale and/or sales of embodiments of Plaintiff's '372 Patent. After mailing said
16 notices to XPOWER, Prestige then caused copies to be hand delivered, which were
17 received by XPOWER on August 16, 2007.

18 13. Defendants have failed to respond to Plaintiff's notice and has
19 continued to make use, manufacture, cause to have manufactured, offer for sale
20 and/or sell the infringing wheels, despite its actual notice of infringement of
21 Plaintiff's '372 Patent.

22 14. By their aforesaid acts, Defendants have violated 35 U.S.C. § 271 by
23 their infringement of the '372 Patent.

24 15. Defendants' aforementioned infringement of Prestige's '372 Patent is
25 injurious to Plaintiff in that these actions have in the past diverted, and will continue
26 to divert, from Plaintiff to Defendants a significant percentage of customers who
27 would otherwise buy Plaintiff's wheels at the prices charged by Plaintiff.

28 / / /

1 16. On information and belief, Defendants' acts of infringement will
2 continue unless enjoined by this Court.

3 17. Prestige is being damaged by Defendants' infringement of the '372
4 Patent and is being and will continue to be irreparably damaged unless Defendants
5 are enjoined by this Court from further infringement. Prestige does not have an
6 adequate remedy at law.

7 18. On information and belief, infringement by Defendants of the '372
8 Patent is and has been carried out deliberately and willfully without Prestige's
9 consent and Prestige is entitled to an award of multiple damages and attorney's fees.

10 WHEREFORE, Plaintiff Prestige demands judgment against Defendants
11 XPOWER and CHOICE AUTO as follows:

12 1. That this Court adjudge and declare:

13 a. That it has jurisdiction over the parties and of the subject matter
14 of this action;

15 b. That United States Patent No. D505,372 is not invalid and is
16 owned by Prestige;

17 c. That Defendants have committed acts of patent infringement by
18 their manufacture, cause to have manufactured, importation, offer for sale and/or
19 sale of wheels having a design that infringes the design shown in the '372 Patent.

20 2. That Defendants, their officers, directors, owners, agents,
21 representatives, employees, assigns, suppliers, and customers, and all persons acting
22 in concert or privity with any of them be preliminarily and permanently enjoined
23 from using the designs of the '372 Patent and any confusingly similar variations
24 thereof as a wheel design or in promotional material for wheels.

25 3. That Defendants be required by mandatory injunction to deliver to
26 Prestige for destruction any and all wheels in Defendants' possession, custody or
27 control embodying unauthorized use of the '372 Patent along with all tooling and
28 dies and other things of manufacture, the sole purpose of which is to manufacture

1 Defendants' infringing wheels, as well as any promotional literature and packaging
2 which displays the infringing wheel designs, or either of them;

3 4. That Prestige be awarded damages covered by the acts of the patent
4 infringement of Defendants in an amount not less than a reasonable royalty pursuant
5 to 35 U.S.C. § 284 or in an amount equal to Defendants' profits pursuant to 35
6 U.S.C. § 289, whichever is greater and that these damages be trebled;

7 5. That the Court find this case exceptional and compel Defendants to pay
8 Plaintiff's costs, expenses, reasonable attorney's fees, and prejudgment interest in
9 connection with this action; and

10 6. That Prestige have such other and further relief as the Court may deem
11 just and proper.

12
13 Respectfully Submitted,

14 DATED: February 25, 2008

FULWIDER PATTON LLP

15
16 By: /s/Vern Schooley/

17 Vern Schooley
18 I. Morley Drucker
19 Michael J. Moffatt
20 Jessica L. Brookhart-Knost
21 Attorneys for Plaintiff,
22 Prestige Autotech Corporation
23
24
25
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28

DEMAND FOR A JURY TRIAL

Plaintiff hereby makes demand for a jury trial of this action.

Respectfully Submitted,

DATED: February 25, 2008

FULWIDER PATTON LLP

By: /s/Vern Schooley/

Vern Schooley

I. Morley Drucker

Michael J. Moffatt

Jessica L. Brookhart-Knost

Attorneys for Plaintiff,

Prestige Autotech Corporation

Attorney or Party without Attorney: FULWIDER PATTON LEE & UTECHT, LLP 200 OCEANGATE, SUITE 1550 LONG BEACH, CA 90802				For Court Use Only	
Telephone No: 562-432-0453					
Ref. No or File No.: PAC76015					
Insert name of Court, and Judicial District and Branch Court: United States District Court - Central District Of California					
Plaintiff: PRESTIGE AUTOTECH CORPORATION					
Defendant: XPOWER WHEELS & ACCESSORIES, INC.					
AFFIDAVIT OF REASONABLE DILIGENCE		Hearing Date:	Time:	Dept/Div:	Case Number: CV07-06824GW(JCRx)

- I, PROLEGAL, INC. YAKUB KHWAJAZADA, and any employee or independent contractors retained by PROLEGAL, INC. are and were on the dates mentioned herein over the age of eighteen years and not a party to this action. Personal service was attempted on Defendant XPOWER WHEELS & ACCESSORIES, INC., A CALIFORNIA CORPORATION as follows:
- Documents:** Summons; Complaint For Patent Infringement; Demand For Jury Trial; Civil Cover Sheet; (Blank) Report On The Filing Or Determination Of An Action Regarding A Patent Or Trademark; Certification As To Interested Parties; (Blank) Adr Pilot Program Questionnaire; Notice To Parties Of Adr Pilot Program; Letter Dated August 15, 2007; E-Filing Of Patent, Trademark And Copyright Cases; Notice Of Assignment To United States Magistrate Judge For Discovery; Civility And Professionalism Guidelines; (Blank) Optical Scanning Enrollment/Update Form; Clerk's Office Services For Attorneys And The General Public; Notice To Counsel.

Day	Date	Time	Location	Results
Tue	10/23/07	11:15am	Business	SIGN ON THE BUILDING IS "XPOWER", BUT LADY IN THE OFFICE SAID THAT THE COMPANY NAME IS NOW "CHOICE AUTO" AND THE PREVIOUS OWNER IS IN CHINA. THE NEW OWNERS NAME IS MATTHEW CHOY WHO IS NOT IN THE OFFICE NOW. NO MANAGER IS IN THE OFFICE AND FEMALE OFFICE WORKER IS NOT WILLING OR AUTHORIZED TO ACCEPT ANYTHING. Attempt made by: YAKUB KHWAJAZADA. Attempt at: 9112 VALLEY BLVD. Rosemead CA 91770.
Wed	11/14/07	5:00pm	Business	Returned Not Served on: XPOWER WHEELS & ACCESSORIES, INC., A CALIFORNIA CORPORATION Business - 9112 VALLEY BLVD. Rosemead, CA. 91770

- Person Executing
 - YAKUB KHWAJAZADA
 - PROLEGAL, INC.
1706 S. FIGUEROA ST.
LOS ANGELES, CA 90015
 - 213-481-8100

Recoverable Costs Per CCP 1033.5(a)(4)(B)

d.. The Fee for service was: \$76.84

e. I am: (3) registered California process server

- Employee
- Registration No.: 3015
- County: Los Angeles

4. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: Wed, Nov. 14, 2007

AFFIDAVIT OF REASONABLE DILIGENCE (YAKUB KHWAJAZADA)

fulpalb.23233

Exhibit A



COURT • PROCESS • DELIVERY

ON-DEMAND AND ON-LINE LEGAL SUPPORT SERVICES

CORPORATE OFFICE
1706 SOUTH FIGUEROA STREET
LOS ANGELES, CA 90015
213.892.1400

TOLL-FREE
888.722.6878
888.72COURT

WEST L.A.
310.842.6800

ORANGE COUNTY
714.775.5600

RIVERSIDE COUNTY
951.778.9020

SACRAMENTO COUNTY
916.485.9500

SAN DIEGO COUNTY
619.338.9600

SAN FRANCISCO COUNTY
415.355.9600

SANTA CLARA COUNTY
408.289.9500

VENTURA COUNTY
805.658.7200

UNIFIED 24/7 FAX
866.767.4588

PROLEGALNETWORK.COM



February 19, 2008

VIA E-Mail (jknost@fulpat.com)

On Thursday, February 19, 2008 at approximately 1:35 p.m.
Valentin Ramirez who is employed by ProLegal, Inc., attempted to
serve documents to the following business entity,

Phoebe Lau, Registered agent for
Ex Power Wheels
9112 Valley Boulevard
Rosemead, California 91770

at the time of the attempt server noticed the following,

the address provided is a business, there appears to be inventory
inside, but no one appears to be around. There is a small sign that
reads, "Osmond Realty". The suite although it has inventory inside
does not appear to have had anyone there for quite a while, the
neighboring suites also appear to be vacant.

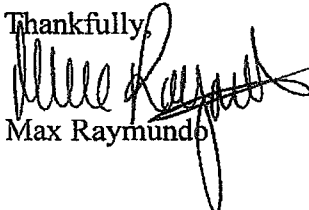
Valentin Ramirez also attempted to serve at the following address,
on February 19, 2008 at approximately 3:36 p.m.

Ex Power Wheels
6213 Randolph Street
Commerce, California 90040

Spoke to the person who was at the front desk and asked to speak
with the sales manager. I was informed by the person at the front
desk that the sales manager was not in the office. Front desk
person called the sales manager and confirmed that he would not
return until February 20, 2008. Server was also informed that the
company at this location is now "Merceli Wheels" and no longer
"Ex Power Wheels".

Sales manager is, Braulio Uribe with a cell phone number of (562)824-1545 and an e-mail address of braulio@meceliwheels.com and a business phone number of (323)721-3838. Company web site is www.merceliwheels.com.

I Max Raymundo, Process manager for ProLegal, Inc. do hereby state that the statement above is a true account of the attempted service that was made by Valentin Ramirez, today February 20, 2008.

Thankfully,

Max Raymundo

Attorney or Party without Attorney: FULWIDER PATTON LEE & UTECHT, LLP 200 OCEANGATE, SUITE 1550 LONG BEACH, CA 90802				For Court Use Only	
Telephone No: 562-432-0453		Ref. No or File No.: PAC76015			
Insert name of Court, and Judicial District and Branch Court: United States District Court - Central District Of California					
Plaintiff: PRESTIGE AUTOTECH CORPORATION Defendant: XPOWER WHEELS & ACCESSORIES, INC.					
AFFIDAVIT OF REASONABLE DILIGENCE		Hearing Date:	Time:	Dept/Div:	Case Number: CV07-06824GW(JCRx)

1. I, VALENTIN RAMIREZ, and any employee or independent contractors retained by PROLEGAL, INC. are and were on the dates mentioned herein over the age of eighteen years and not a party to this action. Personal service was attempted on Defendant XPOWER WHEELS & ACCESSORIES, INC., A CALIFORNIA CORPORATION as follows:
2. **Documents:** Summons Complaint For Patent Infringement; Demand For Jury Trial; Civil Cover Sheet; (Blank) Report On The Filing Or Determination Of An Action Regarding A Patent Or Trademark; Certification As To Interested Parties; (Blank) ADR Pilot Program Questionnaire; Notice To Parties Of ADR Pilot Program; Letter Dated August 15, 2007; E-Filing Of Patent, Trademark And Copyright Cases; Notice Of Assignment To United States Magistrate Judge For Discovery; Civility And Professionalism Guidelines; (Blank) Optical Scanning Enrollment/Update Form; Clerk's Office Services For Attorneys And The General Public; Notice To Counsel.

Day	Date	Time	Location	Results
Tue	02/19/08	1:35pm	Business	ADDRESS PROVIDED IS A BUSINESS. ALTHOUGH THERE APPEARS TO BE MERCHENDISE INSIDE THE BUSINESS THERE IS NO ONE IN THE AREA. THERE APPEARS TO BE NO ONE IN THE BUSINESS AND DOES NOT LOOK LIKE ANYONE HAS BEEN THERE FOR QUITE A WHILE. THE NEIGHBORING SUITES ALSO APPEAR TO BE VACANT. THERE IS A SIGN FOR THE BUILDING FOR A REAL ESTATE COMPANY. Attempt made by: VALENTIN RAMIREZ. Attempt at: 9112 VALLEY BLVD. Rosemead CA 91770.
Tue	02/19/08	3:40pm	Business	SPOKE TO THE FRONT DESK CLERK/RECEPTIONIST WHO INDICATED THAT THE SALES MANAGER BRAULIO IS NOT IN THE OFFICE TODAY. CLERK CALLED BRAULIO ON THE PHONE WHO INFORMED THE CLERK THAT HE WOULD NOT BE IN THE OFFICE UNTIL 2-20-08. CLERK ALSO INDICATED THAT THE COMPANY IS NO LONGER "XPOWER WHEELS" AND INSTEAD IS NOW CALLED "MERCERI WHEELS". BUSINESS CARD INDICATES THAT THE ENTITY OF THE BUSINESS IS IN FACT NOW "MERCERI WHEELS". Attempt made by: VALENTIN RAMIREZ. Attempt at: 6213 RANDOLPH STREET Commerce CA 90040.
Wed	02/20/08	5:00pm	Business	Returned Not Served on: XPOWER WHEELS & ACCESSORIES, INC., A CALIFORNIA CORPORATION Business - 9112 VALLEY BLVD. Rosemead, CA. 91770

3. **Person Executing**

- a. VALENTIN RAMIREZ
 b. PROLEGAL, INC.
 1706 S. FIGUEROA ST.
 LOS ANGELES, CA 90015
 c. 213-481-8100

Recoverable Costs Per CCP 1033.5(a)(4)(B)
 d. The Fee for service was: \$197.08
 e. I am: (3) registered California process server
 (i) Employee
 (ii) Registration No.: 4505
 (iii) County: Los Angeles

4. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: Wed, Feb. 20, 2008

AFFIDAVIT OF REASONABLE DILIGENCE (VALENTIN RAMIREZ)

fulpalb.25085

California Business Portal

Secretary of State DEBRA BOWEN

SECRETARY OF STATE

ELECTIONS & VOTER INFO

POLITICAL REFUGIAN

CA BUSINESS PORTAL

ARCHIVES & MUSEUM

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Corporations

The information displayed here is current as of "FEB 15, 2008" and is updated weekly. It is not a complete or certified record of the Corporation.

Corporation		
CHOICE AUTO, INC.		
Number: C2916995	Date Filed: 4/18/2007	Status: active
Jurisdiction: California		
Address		
110 E 9TH ST A1169		
LOS ANGELES, CA 90079		
Agent for Service of Process		
CHING CHOY		
110 E 9TH ST A1169		
LOS ANGELES, CA 90079		

[Printer Friendly](#)

[New Search](#)

- For information about certification of corporate records or for additional corporate information, please refer to **Corporate Records**.
- Blank fields indicate the information is not contained in the computer file.
- If the status of the corporation is "Surrender", the agent for service of process is automatically revoked. Please refer to California Corporations Code **Section 2114** for information relating to service upon corporations that have surrendered.

Copyright ©2001 California Secretary of State. [Privacy Statement](#).

UNCERTIFIED COPY

Your Return Mailing Address

REGISTRAR - RECORDER

CLERK'S FILING STAMP

Name: **CHOICE AUTO, INC.**

Address: **110 E. 9TH ST., #A1169**

City: **LOS ANGELES** State: **CA** Zip Code: **90079**

06/28/07



20071556375

1

☒ First Filing ☐ Renewal Filing

Check one only

FICTITIOUS BUSINESS NAME STATEMENT

THE FOLLOWING PERSON(S) IS (ARE) DOING BUSINESS AS: (Attach additional pages if required)

2

Fictitious Business Name(s)

1. **XPOWER**

2. **MERCELI**

3. **MF3**

Articles of Incorporation or Organization Number (if applicable)
AI #ON 2916995

3

Street Address, City, State, and Zip Code of Principal Place of Business in California (P.O. Box alone not acceptable)

110 E. 9TH STREET, SUITE A1169, LOS ANGELES, CA 90079

4

Full name of Registrant / Corporation / Limited Liability Company

CHOICE AUTO, INC.

(if corporation - incorporated in what state)

Residence Street Address (P.O. Box not accepted) City

110 E. 9TH STREET, SUITE A1169 LOS ANGELES

State

CA

Zip Code

90079

4A

Full name of Registrant / Corporation / Limited Liability Company

(if corporation - incorporated in what state)

Residence Street Address (P.O. Box not accepted) City

State

Zip Code

4B

Full name of Registrant / Corporation / Limited Liability Company

(if corporation - incorporated in what state)

Residence Street Address (P.O. Box not accepted) City

State

Zip Code

5

This Business is
conducted by:
(check one only)

() an individual

() co-partners

() an unincorporated association other than a partnership

() a general partnership

() husband and wife

() joint venture

() a corporation

() a limited liability company

() a business trust

() a limited partnership

Other

6

Have you started doing business? If yes, insert the date on the line.

No ☒

Yes _____ Date _____

7

I declare that all information in this statement is true and correct.
(A registrant who declares as true information which he or she knows to be false is guilty of a crime.)

8

Signature of Registrant(s)

Signature

type/print name

Signature

type/print name

Signature

type/print name

Signature

type/print name

8A

If Registrant is a CORPORATION or LLC, sign below

CHOICE AUTO, INC.

Corporation Name / Limited Liability Company

Mark

Signature

PRESIDENT

Title

CHING CHOY

Type or Print Name

This statement was filed with the County Clerk of

LOS ANGELES

County on date indicated by file stamp above.

NOTICE - THIS FICTITIOUS NAME STATEMENT EXPIRES FIVE YEARS FROM DATE IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED PRIOR TO THAT DATE. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal, state, or county law (Business and Professions Code)

REGISTRAR - RECORDER/COUNTY CLERK
BUSINESS FILING AND REGISTRATION
P.O. BOX 53592, LOS ANGELES, CA 90053-0592
PH: (352) 462-2177

FILING FEE: \$23.00 for 1 FBN and 2 registrants plus \$4.00 for each
RENEWAL FEE: \$18.00 for 1 FBN and 2 registrants plus \$4.00 for ea
REFER TO THE BACK OF FORM FOR INSTRUCTIONS



Exhibit B

FORM 3 FOR COUNTY CLERK

California Business Portal

Secretary of State DEBRA BOWEN

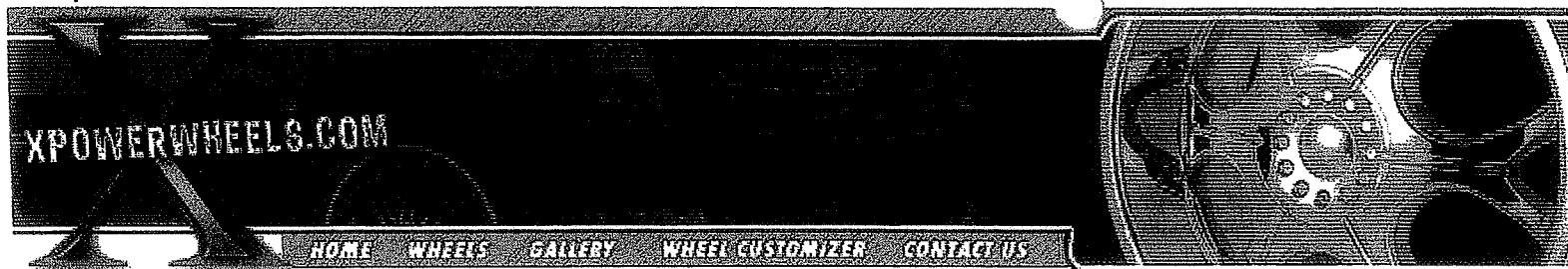
DISCLAIMER: The information displayed here is current as of FEB 15, 2008 and is updated weekly. It is not a complete or certified record of the Corporation.

Corporation		
XPOWER WHEELS & ACCESSORIES, INC.		
Number: C2556555	Date Filed: 9/4/2003	Status: active
Jurisdiction: California		
Address		
6213 RANDOLPH STREET		
CITY OF COMMERCE, CA 90040		
Agent for Service of Process		
PHOEBE LAU		
9112 E VALLEY BLVD		
ROSEMEAD, CA 91770		

Blank fields indicate the information is not contained in the computer file.

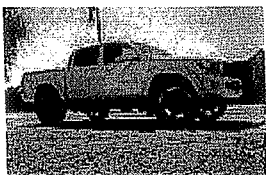
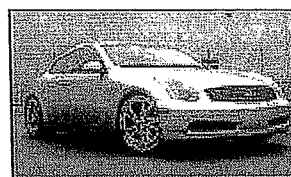
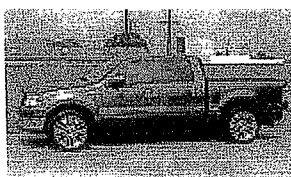
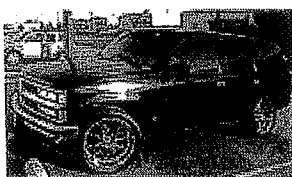
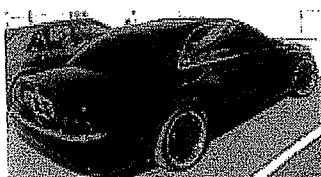
If the status of the corporation is "Surrender", the agent for service of process is automatically revoked. Please refer to California Corporations Code Section 2114 for information relating to service upon corporations that have surrendered.

:: XPower Wheels ::



CUSTOMER GALLERY

XPOWER WHEELS



We are looking for your vehicle to add to our "Customer Gallery"

Please email your pictures of your vehicle with Xpower Wheel on it.

Email pictures to customerpics@xpowerwheels.com

Include: Your name, Wheel Size, Make, Model and Year or the vehicle, City and State.

Or mail your pictures to: 6213 Randolph St Commerce, CA 90040

HOME - WHEELS - GALLERY - WHEEL CUSTOMIZER - CONTACT US - ORDER CATALOG



US00D505372S

(12) **United States Design Patent**
Kushartanto

(10) Patent No.: **US D505,372 S**
 (45) Date of Patent: **** May 24, 2005**

(54) **VEHICLE WHEEL**

(75) Inventor: **A. Kushartanto, Surabaya (ID)**

(73) Assignee: **PT Prima Alloy Steel Universal, Sidoarjo (ID)**

(**) Term: **14 Years**

(21) Appl. No.: **29/204,316**

(22) Filed: **Apr. 27, 2004**

(51) LOC (7) Cl. **12-16**

(52) U.S. Cl. **D12/209**

(58) Field of Search **D12/204-213;**
301/37.101, 64.101, 65

(56) **References Cited**

U.S. PATENT DOCUMENTS

D423,442 S * 4/2000 Hussaini et al. D12/209
 D471,500 S * 3/2003 Kataoka D12/209
 D475,961 S * 6/2003 Pfeiffer et al. D12/211
 D481,348 S * 10/2003 Kang D12/211

D482,307 S * 11/2003 Lee D12/211

D488,116 S * 4/2004 Chung D12/209

D489,308 S * 5/2004 Tirado D12/209

* cited by examiner

Primary Examiner—Stacia Cadmus

(74) *Attorney, Agent, or Firm*—Fulwider Patton Lee & Utecht, LLP

(57) **CLAIM**

The ornamental design for the “vehicle wheel,” as shown and described.

DESCRIPTION

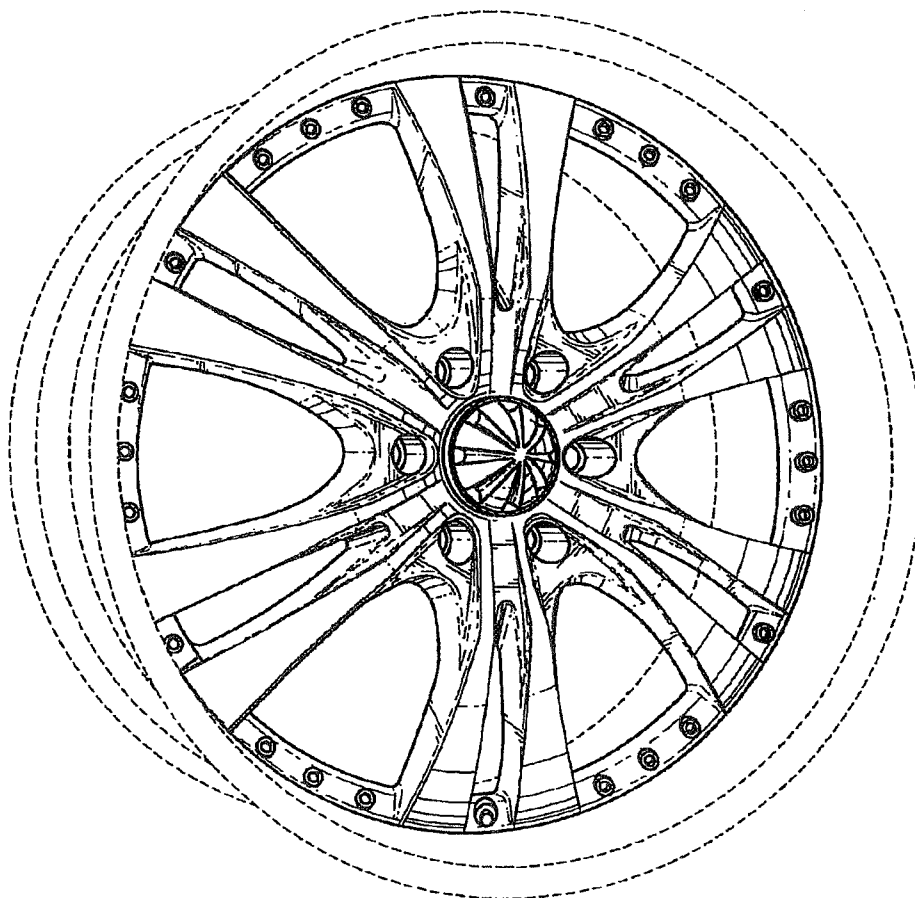
FIG. 1 is a perspective view of the vehicle wheel showing my new design;

FIG. 2 is a front elevational view thereof; and,

FIG. 3 is a cross-sectional view taken along the lines of 3—3 of FIG. 2.

The broken line showing of environment is for illustrative purposes only and forms no part of the claimed design.

1 Claim, 3 Drawing Sheets



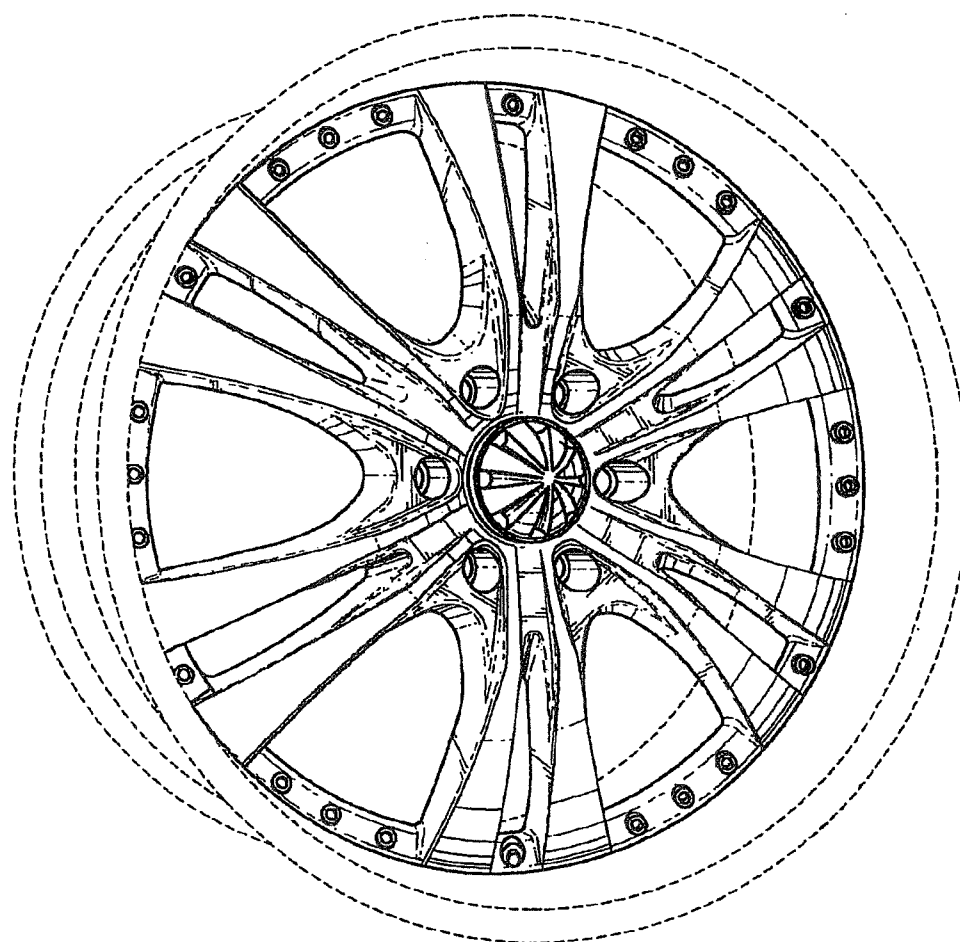
U.S. Patent

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US D505,372 S

FIG. 1



U.S. Patent

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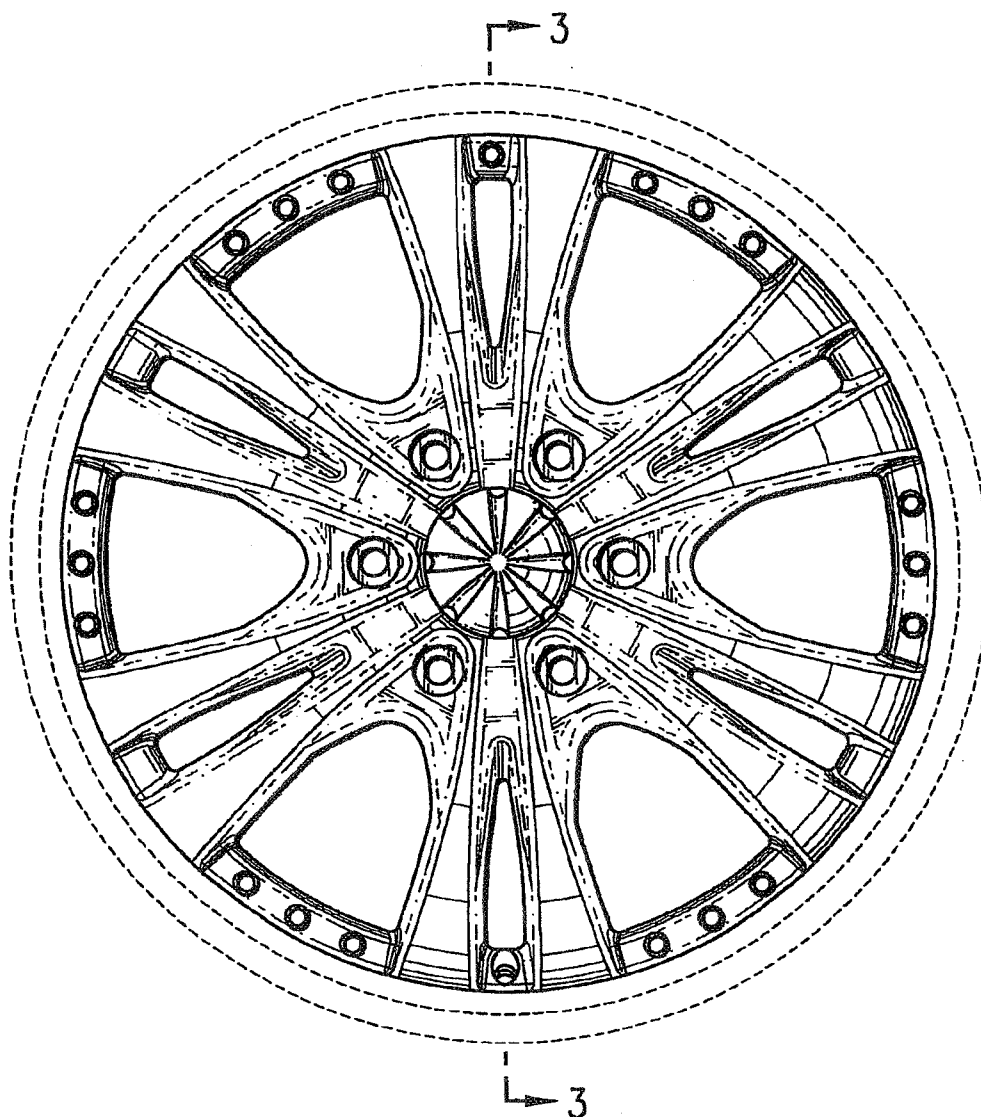


FIG. 2

U.S. Patent

May 24, 2005

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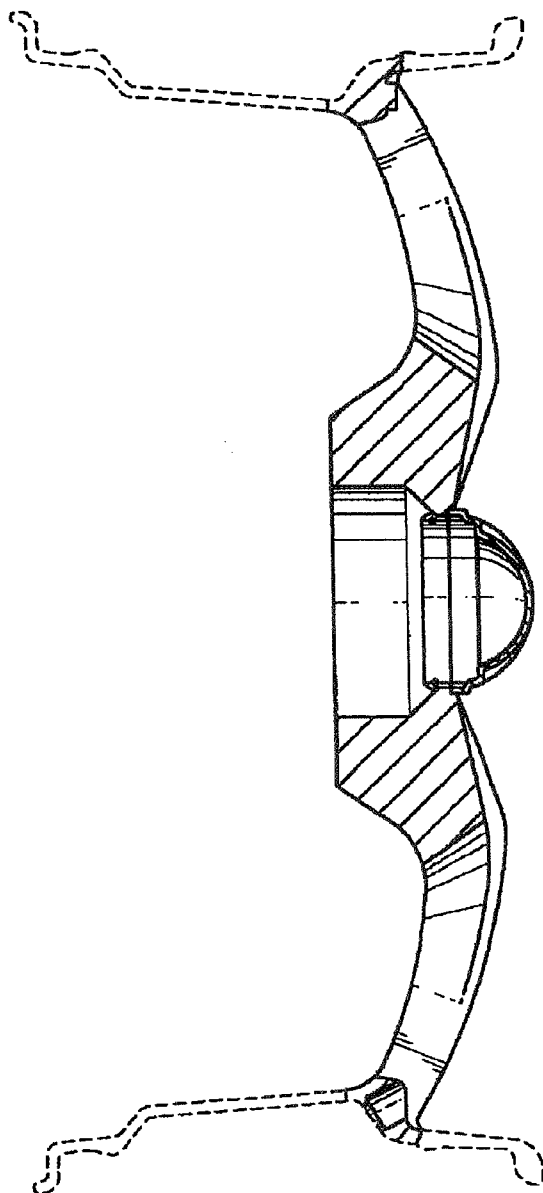


FIG. 3

Xpower Wheels :: Feel the Power of X::

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Dealer Inquiries Welcome

Feel The Power of

605 B1B10 BCB15 BCB16 823 BC836 SC859 B1B59 SC869 BC870 BC870

NEW SITE COMING SOON

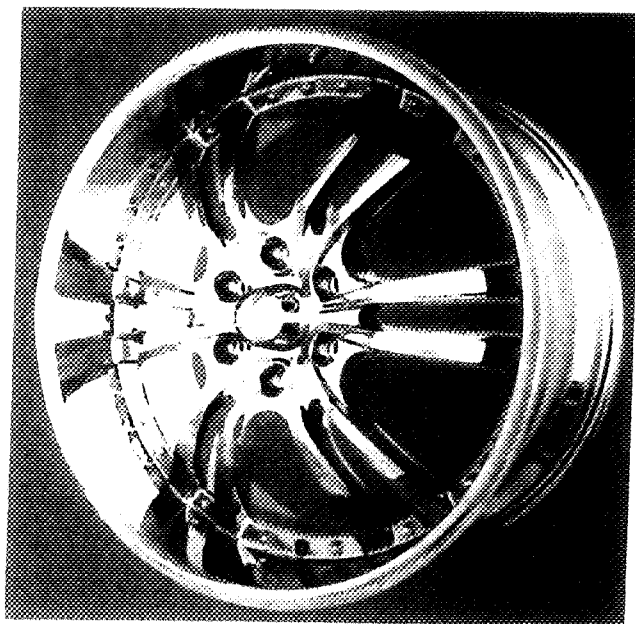
www.xpowerwheels.com

Exhibit E
Page 20

<http://www.xpowerwheels.com/>

6/4/2007

859-Split Six



Size	PCD	OS	CB	MSRP
22X9.5	6X135	35mm	87.1mm	\$380.00
22X9.5	6X139.7	10mm	78.1mm	\$380.00

859 Split Six

- ▶ Lifetime Structural Warranty
- ▶ Two Year Chrome Warranty



Xpower Wheels ::Feel the Power of X::

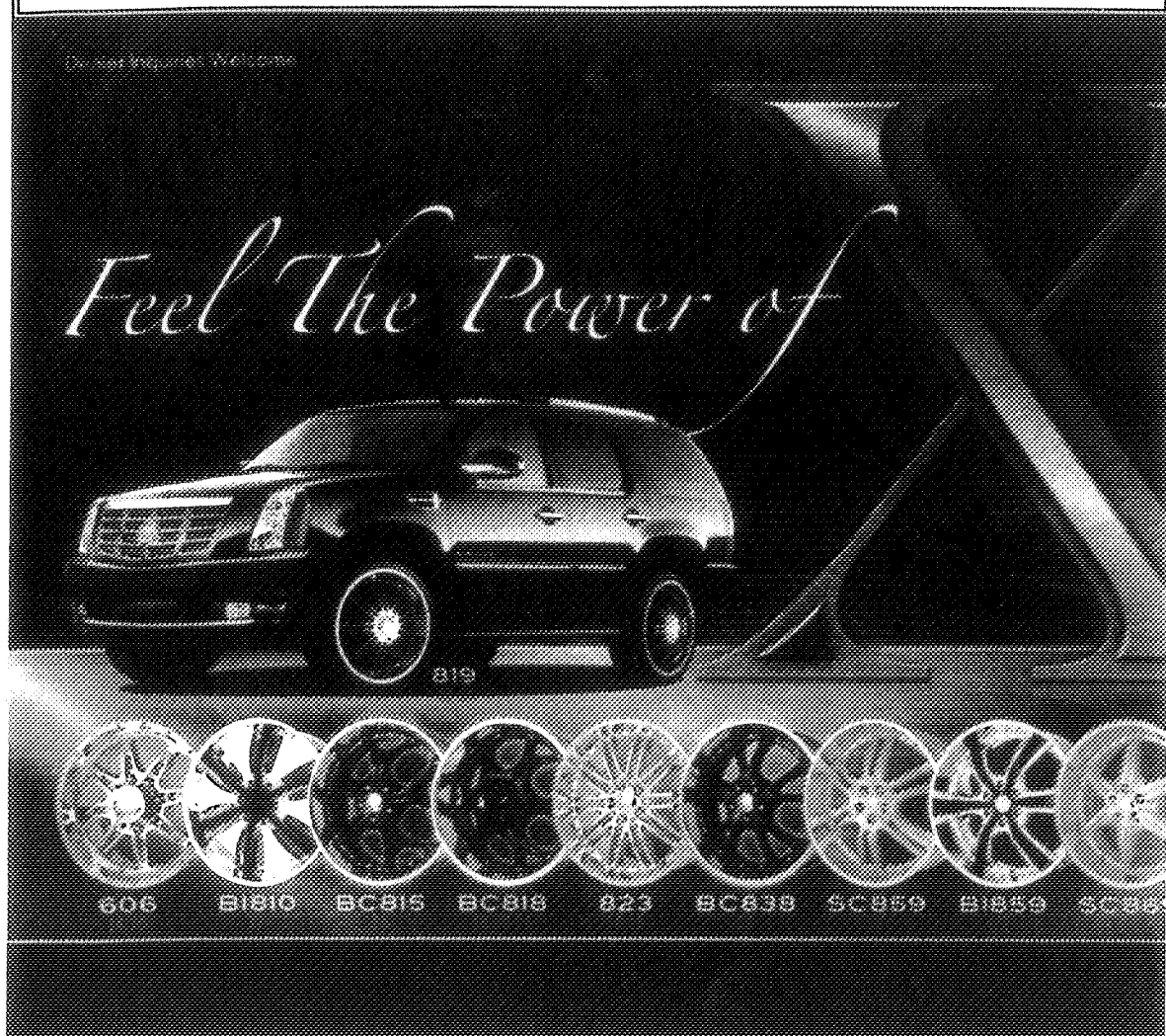
Page 1 of 1

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Direct Inquiries Welcome

Feel The Power of



606 B1B10 BC815 BC818 823 BC838 SC859 B1859 SC865

NEW SITE COMING SOON

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<http://cc.msnsnscache.com/cache.aspx?q=6824288995259&lang=en-US&mkt=en-US&FOR...> 4/23/2007

02/26/2008 14:26 FAX 2132538414

SYMPLEX

003/003

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

Prestige Autotech Corporation, a California
corporation

PLAINTIFF(S)

v.

XPower Wheels & Accessories, Inc., a California
corporation, Choice Auto, Inc., a California
corporation d/b/a XPower and Merrell Wheels

DEFENDANT(S)

CASE NUMBER

CV07-06824 GW(JCRx)

SUMMONS ON

First Amended Complaint

TO: DEFENDANT(S): XPower Wheels & Accessories, Inc. et al.

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☐ complaint ☒ First amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Vern Schooley, Esq., whose address is Fulwider Patton LLP, 6060 Center Drive, 10th Floor, Los Angeles, CA 90045. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

Dated: 26 FEB 2008

By: M. Davis

Deputy Clerk

(Seal of the Court)

SEAL

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3).]