UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C.

In the Matter of **CERTAIN SKID-STEER LOADERS, COMPACT TRACK LOADERS, EXCAVATORS, WHEEL LOADERS, DOZERS, AND COMPONENTS THEREOF**	**Investigation No. 337-TA- _____**

COMPLAINT UNDER SECTION 337 OF THE TARIFF ACT OF 1930, AS AMENDED

Complainant:

Doosan Bobcat North America, Inc.
250 East Beaton Dr.
West Fargo, ND 58078

Proposed Respondent:

Caterpillar, Inc.
5205 N. O'Connor Blvd., Suite 100
Irving, TX 75039
Tel.: (972) 891-7700

Counsel for Complainant:

S. Alex Lasher
K. Kevin Chu
QUINN EMANUEL URQUHART & SULLIVAN, LLP
1300 I Street, NW, Suite 900
Washington, D.C. 20005
Tel.: (202) 538-8000

Sean Pak
Iman Lordgooei
QUINN EMANUEL URQUHART & SULLIVAN, LLP
50 California Street, 22nd Floor
San Francisco, CA 94111
Tel.: (415) 875-6600

Nathan Hamstra
Marc Kaplan
QUINN EMANUEL URQUHART & SULLIVAN, LLP
191 N. Wacker Drive, Suite 2700

Chicago, IL 60606
Tel.: (312) 705-7400

D. James Pak
Valerie Lozano
QUINN EMANUEL URQUHART & SULLIVAN, LLP
865 S Figueroa St 10th Floor
Los Angeles, CA 90017
Tel.: (213) 443-3000

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B	U.S. Patent No. 10,934,684 Prosecution History
C	U.S. Patent No. 8,047,760 Prosecution History
D	U.S. Patent No. 7,831,364 Prosecution History

I. INTRODUCTION

1. Complainant Doosan Bobcat North America, Inc. d/b/a Bobcat Company ("Complainant" or "Bobcat"), headquartered in West Fargo, North Dakota, respectfully files this Complaint under Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, to stop the unlawful importation into the United States, sale for importation into the United States, and/or sale within the United States after importation of certain skid-steer loaders, compact track loaders, excavators, wheel loaders, dozers, and components thereof that infringe valid and enforceable patents owned by Bobcat.

2. The proposed Respondent is Caterpillar, Inc. ("Respondent" or "Caterpillar"), a construction equipment maker headquartered in Irving, Texas.

3. This Complaint is based on Respondent's unlawful importation into the United States, sale for importation into the United States, and/or sale within the United States after importation of certain skid-steer loaders, compact track loaders, excavators, wheel loaders, dozers, and components thereof (hereinafter "Accused Products")[1] that infringe one or more claims of the following Bobcat patents (the "Asserted Patents"):

Asserted Patent	Claims Asserted Against Respondent (independent claims in bold)
U.S. Patent No. 8,364,356	**1**, 2-6, **7**, 8-12
U.S. Patent No. 10,934,684	**1**, 2-8, **9**, 10-13, **15**, 16-19
U.S. Patent No. 8,047,760	**1**, 2-7, **8**, 9, **10**, 11, 12, **13**
U.S. Patent No. 7,831,364	**1**, 2-5, **6**, **7**, 8-9, 11-15, 17-20

[1] Any identification of a specific model or type of Accused Product in this Complaint is not intended to limit the scope of this investigation.

4. Pursuant to Commission Rules 210.12(a)(12) and 210.10(b)(1), the Accused Products are certain skid-steer loaders, compact track loaders, excavators, wheel loaders, dozers, and components thereof.

5. To stop Respondent's unlawful acts, Bobcat requests a limited exclusion order under 19 U.S.C. § 1337(d)(1) barring from entry into the United States any skid-steer loaders, compact track loaders, excavators, wheel loaders, dozers, and components thereof that infringe one or more Asserted Patents and that are imported into the United States, sold for importation into the United States, and/or sold in the United States after importation by or on behalf of Respondent.

6. Bobcat also seeks permanent cease and desist orders under 19 U.S.C. § 1337(f) prohibiting Respondent and its affiliates, subsidiaries, successors, or assigns from importing, selling for importation, marketing, demonstrating, distributing, repairing, refurbishing, offering for sale, selling after importation or transferring (except for exportation), including moving or shipping inventory in the United States or soliciting United States agents or distributors, or aiding and abetting other entities in the importation, sale for importation, sale after importation, or transfer (except for exportation) of skid-steer loaders, compact track loaders, excavators, wheel loaders, dozers, and components thereof that infringe one or more Asserted Patents.

7. Bobcat further seeks the imposition of a bond upon importation of infringing products during the 60-day Presidential review period pursuant to 19 U.S.C. § 1337(j).

8. As set forth in Section IX of this Complaint, a domestic industry pursuant to 19 U.S.C. § 1337(a)(2)-(3) exists based on the hundreds of millions of dollars that Bobcat has invested domestically in relation to its products that are protected by the Asserted Patents.

II. COMPLAINANT

9. Bobcat is a corporation organized and existing under the laws of the state of Delaware, with a principal place of business as of the date of the initiation of this proceeding at 250 East Beaton Drive, West Fargo, ND, 58078. Bobcat is a subsidiary of Doosan Bobcat Inc., a publicly traded corporation organized and existing under the laws of the nation of Korea, with its principal place of business as of the date of the initiation of this proceeding at Bundang, Gyonggi-do, Republic of Korea.

10. Caterpillar, Inc. is a publicly traded corporation organized and existing under the laws of the state of Delaware, with its principal place of business as of the date of the initiation of this proceeding at 5205 N. O'Connor Blvd., Suite 100, Irving, TX 75039.

11. Bobcat is an American company with a history of innovation dating back to 1947, when it was founded as Melroe Manufacturing Company by Edward Gideon "E.G." Melroe and his four sons. Melroe Manufacturing Company ("Melroe") began in Gwinner, North Dakota, as a small farm equipment repair and manufacturing business focused on producing attachments and implements for agricultural machinery, such as snow blowers and crop sprayers. The company grew steadily in the post-World War II era, capitalizing on the demand for innovative farming tools in the American Midwest. By the late 1950s, Melroe had established itself as a leading innovator in the agricultural sector, attending events like state fairs to showcase and promote its products. Melroe emphasized practical solutions for farmers, which aligned closely with the needs that would later drive its partnership with Cyril and Louis Keller, the inventors of the original compact loader.

12. In 1957, Cyril and Louis Keller invented the original compact loader, which later resulted in U.S. Patent No. 3,151,503 and, in 2023, led to their induction into the National Inventors' Hall of Fame. The first compact loader was a small, lightweight, maneuverable three-

wheeled machine. The machine's unique design, with independent wheel control, allowed it to turn within its own length, a revolutionary concept for the time.

13. In 1958, Melroe acquired the exclusive manufacturing rights to the machine and hired the Keller brothers to further develop and refine the design. Melroe recognized the loader's potential and began producing it at their plant in Gwinner, North Dakota. The Kellers continued developing the design as Melroe invested in improvements and mass production.

14. Together with Melroe's team, the Kellers helped evolve the original three-wheeled compact loader into a more stable four-wheeled model, which became the first skid-steer loader with balanced weight distribution essential for easy turning. This was the M400, introduced in 1960. The "Bobcat" name, reflecting the machine's toughness and agility, was introduced in 1962. Cyril Keller was directly involved in sales and training dealers, while Louis Keller worked on design improvements and attachments. The Bobcat loader became a highly celebrated product, producing more than one million units globally. The Kellers' inventive design, coupled with Melroe's manufacturing capabilities, established an entirely new industry category—compact equipment—pairing toughness with agility and maneuverability for the first time. Bobcat created and defined this industry and today continues to drive the industry forward with its cutting-edge innovation and dedication to serving its customers.

15. The Kellers' story, however, began even earlier in the 1950s. Following his service in World War I, Louis Keller returned home to Rothsay, Minnesota and worked as a welder and farm equipment repairman; his brother, Cyril, joined the business a few years later. *See* Prairie Public, *The History of the Bobcat* (2003), https://tinyurl.com/ye28uhjr. Having grown up on a farm and educated in a one-room schoolhouse, Louis and Cyril Keller had spent their lives working with, repairing, and modifying farm equipment. *Id*. The Kellers founded the Keller Brothers

Machine Company in Rothsay, Minnesota in 1953. The brothers advertised their shop with a sign out front that read, "We can repair anything, weld anything, and fix anything but a broken heart." *Id*.

16. Beginning as a modest welding and machine company, the Keller Brothers Machine Company developed tractor- and truck-mounted plows, snowblowers, and other farm equipment. In 1953, the Kellers were approached by a local farmer seeking a solution to a longstanding problem on his farm: at the time, there was no machinery small and agile enough to fit inside the multi-story pole-style barns used for turkey farming, containing tights turns and small spaces, which traditional farming equipment could not access. *Id.*; *see also* National Inventors Hall of Fame, *2023 Inductee Louis Keller: A Persistent Problem Solver*, June 23, 2023, https://www.invent.org/blog/inventors/louis-keller (last accessed November 30, 2025).

17. The Kellers got to work developing a machine that could maneuver into tight spaces, make tight turns, but still be powerful enough to move significant loads of material. The initial design was the world's first small, lightweight, three-wheel front-end loader. *Id*. The "Keller Self-Propelled Loader" was designed using "mechanical parts from local junkyards and bars from the old Rothsay jail for the manure fork teeth." *Id*. To be able to maneuver in the tight confines of a turkey barn, the original machine was "operated using hydraulic foot pedals, a motor in the back, two front tires, and a rear pivoting caster wheel that enabled sharp turns." *Id*. The Kellers patented a clutch system for the operation of the machine, which worked by "using two hand levers [that] made it possible to put one side of the loader into forward and the other side into reverse, without the use of a transmission gearshift or a steering wheel." *Id*. This revolutionary design meant that "[t]he loader could turn completely around in a circle the size of its own length,

with one wheel moving forward and the other moving in reverse, pivoting around the caster wheel." *Id*.

Figure 1: The Keller Self-Propelled Loader, which pivoted on a caster wheel in the rear of the machine.

18. The Keller Self-Propelled Loader was a hit, with farmers clamoring to buy the equipment. The Kellers licensed the exclusive manufacturing rights to Melroe in North Dakota and became employees at Melroe, continuing to develop their invention. *Id*.

19. By 1960, the Kellers and the team at Melroe had hit upon a significant improvement for the Keller Self-Propelled Loader: a four-wheel skid-steer loader. *The History of the Bobcat* (2003), https://tinyurl.com/ye28uhjr (last accessed November 30, 2025). Through significant research, design, and development, this team improved the Self-Propelled Loader by incorporating a fourth wheel and a second axle, which allowed for four-wheel drive and allowed the wheels to skid for directional control—a new innovation that transformed the small equipment industry.

National Inventors Hall of Fame, *2023 Inductee Louis Keller: A Persistent Problem Solver*. By 1962, the team implemented this new innovation in a tough, quick, and agile small compact loader—the first machine to be called "the Bobcat." The breakthrough of the skid-steer, four-wheel drive machine presaged decades of industry-defining innovation from the company that would later be renamed after its groundbreaking technology. *See* Bobcat, *History Timeline*, https://www.bobcat.com/na/en/company/about/history/timeline (last accessed November 30, 2025).

Figure 2: The original Melroe Bobcat (1962), which introduced four-wheel skid-steer to the Kellers' loaders.

20. In 1989, Bobcat introduced a new machine into its lineup: a compact excavator, the only such machine to be manufactured in the United States at the time. *See* Bobcat, *History*

Timeline. Over the next three decades, Bobcat excavators led the industry in small-format excavation equipment, suitable for digging in confined spaces where large-scale equipment could not effectively operate.

Figure 3: Bobcat's Compact Excavator (1989) was the first to be manufactured in North America.

21. Bobcat has been the industry-leader in compact equipment for more than 65 years, and today, the Bobcat brand is synonymous with the compact construction equipment industry. Its initial Bobcat machine opened the door to a host of small-format equipment that have become ubiquitous on farms, construction sites, and in urban development sites worldwide. Its excavators and next-generation series loaders continue to set the industry standard for compact equipment sold in the U.S. market. In fact, these machines support customers in a wide variety of industries, including construction, forestry, landscaping and grounds maintenance, snow removal, and beyond.

22. Over the last six decades, Bobcat has been a consistent innovator, augmenting its offerings by expanding its product line, increasing worker efficiency and productivity, and improving the safety and comfort of its equipment.

23. With each new generation of compact loader, for example, Bobcat has introduced enhanced control systems, new features, and innovative safety elements. Bobcat's commitment to the refinement and development of its products continues to drive forward the compact equipment industry it inaugurated decades ago. *See* Tractor Zone, *A Historical Overview of Bobcat's Impact on Construction*, https://tractorzone.com/blog/a-historical-overview-of-bobcats-impact-on-construction/ (last accessed March 27, 2024). Bobcat has "consistently pushed the boundaries with each new model, introducing technological innovations such as enhanced control systems, telematics, and smart attachments. These refinements have streamlined work processes, improved safety, and reduced the environmental impact of construction operations." *Id.*

III. RESPONDENT

24. On information and belief, Respondent Caterpillar, Inc. is a corporation organized under the laws of Delaware, with its principal place of business located at 5205 N. O'Connor Blvd., Suite 100, Irving, TX 75039.

25. As set forth below, on information and belief, Respondent imports into the United States, sells for importation into the United States, and/or sells within the United States after importation skid-steer loaders, compact track loaders, excavators, wheel loaders, dozers, and components thereof that infringe the Asserted Patents.

IV. THE TECHNOLOGY AND PRODUCTS AT ISSUE

A. Background of the Technology

26. The technology at issue concerns significant improvements to skid-steer loaders, compact track loaders, excavators, wheel loaders, dozers, and other construction equipment. These

improvements relate to usability, safety, and efficiency, among other things. As explained with respect to each patent below, the technology at issue allows users of these types of equipment to complete their work more precisely, with less manual intervention, with less chance of damage to the equipment, and to do so longer and with less costs such as fuel for the equipment.

B. Products at Issue

27. The Accused Products are the Accused ’356 Products, Accused ’684 Products, Accused ’760 Products, and Accused ’364 Products.

28. The Accused ’356 Products include the 255, 265, 275, 275 XE, 285, and 285 XE Next-Generation Compact Track Loaders, the 239D3, 249D3, 259D3, 279D3, 289D3, 299D3, 299D3 XE, and 299D3 XE Land Management D3-Series Compact Track Loaders, the 250, 260, 270, and 270 XE Next-Generation Skid Steer Loaders, the 226D3, 232D3, 236D3, 242D3, 246D3, 262D3, 272D3, 272D3 XE D3-Series Skid Steer Loaders, and the 301.5, 301.7 CR, 301.8, 302, 302 CR, 302.7 CR, 303 CR, 303.5 CR, 304, 305 CR, 306 CR, 307.5, 308 CR, 308 CR (Fixed Boom), 308 CR VAB, 309 CR, 309 CR VAB, and 310 Mini Hydraulic Excavators (collectively, the “Accused ’356 Products”).

29. The Accused ’684 Products include the, 300.9, 301.5, 301.7 CR, 3, 301.8, 302, 302 CR, 302.7 CR, 303 CR, 303.5 CR, 304, 305 CR, 306 CR, 307.5, 308 CR, 308 CR (Fixed Boom), 308 CR VAB, 309 CR, 309 CR VAB, and 310 Mini Hydraulic Excavators; the 313, 315, and 317 Small Hydraulic Excavators; the 320, 323, 325, 326, 330, and 335 Medium Hydraulic Excavators; the 336, 340, 350, 352, 374, and 395 Large Hydraulic Excavators; the 330, 340, and 352 Demolition Excavators; the 340 and 352 Long-Reach Excavators; all 300-series excavators equipped with or capable of Stick Steer, and the 528, 538, 548, 558, and 568 Forest Machines (collectively, the “Accused ’684 Products”).

30. The Accused ’760 Products include the 255, 265, 275, 275 XE, 285, and 285 XE Next-Generation Compact Track Loaders, the 239D3, 249D3, 259D3, 279D3, 289D3, 299D3, 299D3 XE, and 299D3 XE Land Management D3-Series Compact Track Loaders, and the 250, 260, 270, and 270 XE Next-Generation Skid Steer Loaders, and the 226D3, 232D3, 236D3, 242D3, 246D3, 262D3, 272D3, 272D3 XE D3-Series Skid Steer Loaders (collectively, the “Accused ’760 Products”).

31. The Accused ’364 Products include Cat Command; Cat Command-equipped and compatible products, including the 255, 265, 275, 275 XE, 285, and 285 XE Next-Generation Compact Track Loaders; the 239D3, 249D3, 259D3, 279D3, 289D3, 299D3, 299D3 XE, and 299D3 XE Land Management D3-Series Compact Track Loaders; the 250, 260, 270, and 270 XE Next-Generation Skid Steer Loaders; the 226D3, 232D3, 236D3, 242D3, 246D3, 262D3, 272D3, and 272D3 XE D3-Series Skid Steer Loaders; small and medium dozers, including the D1, D2, D3, D4, D5, D6, D6 XE, and D7 Dozers; the 950, 962, 966, 966 XE, 972, 972 XE, 980, 980 XE, 982, and 982 XE Next-Generation Wheel Loader; the 320, 323, 326, 330 and 335 Medium Excavators; the 336 and 340 Large Excavators; and the 349, 352, 374, and 395 Large Hydraulic Excavators (collectively, the “Accused ’364 Products”).

V. THE ASSERTED PATENTS AND NON-TECHNICAL DESCRIPTIONS OF THE INVENTIONS[2]

32. Bobcat asserts four patents in this Complaint: U.S. Patent No. 8,364,356 (“the ’356 patent”); U.S. Patent No. 10,934,684 (“the ’684 patent”); U.S. Patent No. 8,047,760 (“the ’760

[2] All non-technical descriptions of the patents herein are presented to give a general background of those patents. These statements are not intended to be used nor should they be used for purposes of patent claim construction. Bobcat presents these statements subject to and without waiver of its right to argue that no claim construction is necessary, or that claim terms should be construed in a particular way under claim interpretation jurisprudence and the relevant evidence.

patent"); and U.S. Patent No. 7,831,364 ("the '364 patent"). These patents are briefly discussed below.

A. The '356 Patent

1. Identification and Ownership of the '356 Patent

33. U.S. Patent No. 8,364,356 was duly and lawfully issued by the United States Patent and Trademark Office on January 29, 2013 to the Clark Equipment Co. Subsequently, Clark Equipment Company formally changed its name to Doosan Bobcat North America, Inc. The '356 Patent is set to expire on April 2, 2028.

34. The '356 Patent is titled "Drive control system for a vehicle and method," names Christopher L. Young, Jason L. Magnuson, and Spencer L. Mindeman as inventors, and issued from U.S. Patent Application No. 13/550,155, which was filed on July 16, 2012.

35. A copy of the '356 Patent is attached as Exhibit 1.[3]

36. A copy of the assignment record for the '356 Patent from the named inventors ultimately to Doosan Bobcat North America, Inc. is attached as Exhibit 2.[4]

2. Foreign Counterparts to the '356 Patent

37. Exhibit 3 lists each foreign patent, each foreign or domestic patent application (not already issued as a patent), and each foreign or domestic patent application that has been denied, abandoned or withdrawn, corresponding to each involved U.S. patent, with an indication of the prosecution status of each such patent application.

[3] Complainant has ordered but not yet received a certified copy of the '356 Patent from the USPTO. Complainant will provide the certified copy of the patent as soon as Complainant receives it.

[4] Complainant has ordered but not yet received a certified copy of the assignment records for the '356 Patent from the USPTO. Complainant will provide the certified copy of the assignment records as soon as Complainant receives it.

38. No other foreign patents or applications corresponding to the ’356 Patent have been filed, abandoned, withdrawn, or rejected.

3. Non-Technical Description of the ’356 Patent

39. The ’356 Patent is directed to schemes for adjusting the tracking (*e.g.*, directional alignment) and responsiveness (*e.g.*, the manner in which the machine reacts to user inputs) of a machine with first and second side drives via operator inputs. In machines such as compact track loaders and skid-steer loaders that have first and second drives corresponding to left and right side wheels or tracks, the tracking of the machine may vary over time when traveling over uneven or sloped terrain, when uneven external forces are applied to the left or ride sides of the machine, when the drive system degrades over time, or when varying amounts of power are provided by the hydraulic system to the first and second drives. These conditions can cause the left and right wheels or tracks to turn at different rates, thereby causing the machine to turn. In these machines, it is also desirable to adjust the responsiveness of the drive system to provide varying levels of control sensitivity suitable for different operating conditions.

40. The ’356 Patent thus describes a tracking adjustment scheme in which the operator can adjust the maximum output, or set a “trim,” of a hydraulic pump and/or motor so that the machine travels in a straight line when joysticks used to control the machine are positioned in a positive center position. This prevents variances in the tracking of the machine when operating under conditions or external forces that would otherwise cause the machine to turn.

B. The ’684 Patent

1. Identification and Ownership of the ’684 Patent

41. U.S. Patent No. 10,934,684 was duly and lawfully issued by the United States Patent and Trademark Office on March 2, 2021 to the Clark Equipment Co. Subsequently, Clark

Equipment Company formally changed its name to Doosan Bobcat North America, Inc. The ’684 Patent is set to expire on December 19, 2038.

42. The ’684 Patent is titled “Control system for power machine,” names Michael D. Wetzel and Jonathan J. Roehrl as inventors, and issued from U.S. Patent Application No. 16/177,864, which was filed on November 1, 2018.

43. A copy of the ’684 Patent is attached as Exhibit 4.[5]

44. A copy of the assignment record for the ’684 Patent from the named inventors ultimately to Doosan Bobcat North America, Inc. is attached as Exhibit 5.[6]

45. A copy of the prosecution history of the ’684 Patent is included as Appendix B.[7]

2. Foreign Counterparts to the ’684 Patent

46. Exhibit 3 lists each foreign patent, each foreign or domestic patent application (not already issued as a patent), and each foreign or domestic patent application that has been denied, abandoned or withdrawn, corresponding to each involved U.S. patent, with an indication of the prosecution status of each such patent application

47. No other foreign patents or applications corresponding to the ’684 Patent have been filed, abandoned, withdrawn, or rejected.

[5] Complainant has ordered but not yet received a certified copy of the ’684 Patent from the USPTO. Complainant will provide the certified copy of the patent as soon as Complainant receives it.

[6] Complainant has ordered but not yet received a certified copy of the assignment records for the ’684 Patent from the USPTO. Complainant will provide the certified copy of the assignment records as soon as Complainant receives it.

[7] Complainant has ordered but not yet received a certified copy of the prosecution history for the ’684 Patent from the USPTO. Complainant will provide the certified copy of the prosecution history as soon as Complainant receives it.

3. Non-Technical Description of the ’684 Patent

48. The ’684 Patent is directed toward methods and systems of controlling an excavator using two user inputs, such as joysticks, in which a user can change the input mode so that the joysticks will behave differently. In the first input mode, the x- and y-axes of both the joysticks will control the various elements of the excavator arm, as well as the slew, or the turning, of the operator cabin. A user can then switch to a second input mode, in which one of the joysticks controls the travel of the excavator (forward, back, turn left, and turn right) and the other joystick controls the primary or secondary work element of the excavator.

49. The ’684 Patent further describes the relationships between the actuators controlled by the input devices in the first input mode and by the input devices in the second input mode. For example, some claims require that there be some overlap in the set of actuators controlled by the input devices in the first input mode and the actuators controlled by the input devices in the second input mode, as well as actuators that controlled by the input devices in the second input mode but not by the input devices in the first input mode.

C. The ’760 Patent

1. Identification and Ownership of the ’760 Patent

50. U.S. Patent No. 8,047,760 was duly and lawfully issued by the U.S. Patent and Trademark Office on November 1, 2011 to the Clark Equipment Co. Subsequently, Clark Equipment Company formally changed its name to Doosan Bobcat North America, Inc. The ’760 Patent is set to expire on September 18, 2029.

51. The ’760 Patent is titled “Integral power or electrical conduit coupler,” and names Thomas Roan, Travis Mackey, Lance Kistner, and Rodney Koch as inventors. The ’760 Patent issued from Application No. 12/251,945, filed October 15, 2008.

52. A copy of the ’760 Patent is attached as Exhibit 6.[8]

53. A copy of the patent assignment record for the ’760 Patent, from the named inventors ultimately to Doosan Bobcat North America, Inc., is attached as Exhibit 7.[9]

54. A copy of the prosecution history of the ’760 Patent is included as Appendix C.[10]

2. Foreign Counterparts to the ’760 Patent

55. Exhibit 3 lists each foreign patent, each foreign or domestic patent application (not already issued as a patent), and each foreign or domestic patent application that has been denied, abandoned or withdrawn, corresponding to each involved U.S. patent, with an indication of the prosecution status of each such patent application.

56. No other foreign patents or applications corresponding to the ’760 Patent have been filed, abandoned, withdrawn, or rejected.

3. Non-Technical Description of the ’760 Patent

57. The ’760 Patent describes a system for managing the hydraulic and electric conduits on a compact track loader or skid-steer loader that are used to provide hydraulic or electrical signals to an attachment. In the configuration of the ’760 Patent, there is a source for the hydraulic and electric signals, generally near the engine in the back part of the loader, and then the conduits travel through the hollow lift arm of the loader. On the front of the lift arm, there is a mounting plate and a coupler for the hydraulic and electric conduits. By using this integral coupler, the conduits

[8] Complainant has ordered but not yet received a certified copy of the ’760 Patent from the USPTO. Complainant will provide the certified copy of the patent as soon as Complainant receives it.

[9] Complainant has ordered but not yet received a certified copy of the assignment records for the ’760 Patent from the USPTO. Complainant will provide the certified copy of the assignment records as soon as Complainant receives it.

[10] Complainant has ordered but not yet received a certified copy of the prosecution history for the ’760 Patent from the USPTO. Complainant will provide the certified copy of the prosecution history as soon as Complainant receives it.

are positioned such that an operator can see them from the cabin and such that they are protected by the lift arm, but they do not create visual obstructions.

D. The ’364 Patent

1. Identification and Ownership of the ’364 Patent

58. U.S. Patent No. 7,831,364 was duly and lawfully issued by the United States Patent and Trademark Office on November 9, 2010 to Clark Equipment Co. Subsequently, Clark Equipment Company formally changed its name to Doosan Bobcat North America, Inc. The ’364 Patent is set to expire on September 9, 2029.

59. The ’364 Patent is titled “‘Off-board’ control for a power machine or vehicle,” names Brady J. Bertsch, Scott R. Rossow, and Shawn R. Vasichek as inventors, and issued from U.S. Patent Application No. 11/503,515, which was filed on August 11, 2006.

60. A copy of the ’364 Patent is attached as Exhibit 8.[11]

61. A copy of the assignment record for the ’364 Patent from the named inventors ultimately to Doosan Bobcat North America Inc. is attached as Exhibit 9.[12]

62. A copy of the prosecution history of the ’364 Patent is included as Appendix D.[13]

2. Foreign Counterparts to the ’364 Patent

63. Exhibit 3 lists each foreign patent, each foreign or domestic patent application (not already issued as a patent), and each foreign or domestic patent application that has been denied,

[11] Complainant has ordered but not yet received a certified copy of the ’364 Patent from the USPTO. Complainant will provide the certified copy of the patent as soon as Complainant receives it.

[12] Complainant has ordered but not yet received a certified copy of the assignment records for the ’364 Patent from the USPTO. Complainant will provide the certified copy of the assignment records as soon as Complainant receives it.

[13] Complainant has ordered but not yet received a certified copy of the prosecution history for the ’364 Patent from the USPTO. Complainant will provide the certified copy of the prosecution history as soon as Complainant receives it.

abandoned or withdrawn, corresponding to each involved U.S. patent, with an indication of the prosecution status of each such patent application.

64. No other foreign patents or applications corresponding to the ’364 Patent have been filed, abandoned, withdrawn, or rejected.

3. Non-Technical Description of the ’364 Patent

65. The ’364 Patent is directed to a scheme for controlling a power machine or vehicle using a combination of “on-board” and “off-board” control units located both on and remote to the power machine or vehicle. In machines such as compact track loaders, skid-steer loaders, and excavators it is often advantageous to be able to control the machine from outside of the cab of the machine when visibility of a construction site is limited from inside the cab of the machine, making it difficult for an operator to control the machine from inside the cab.

66. The ’364 Patent thus provides a scheme for controlling the machine or vehicle using an “off-board” control unit located outside of the cab that receives operating commands for the machine or vehicle and wirelessly transmits the operating commands to an “on-board” control unit mounted to the power machine or vehicle. The operating commands are then received by the “on-board” control unit via a wireless receiver, and transmitted to the power machine or vehicle’s control network, thereby providing wireless control of hydraulic devices on the machine or vehicle.

E. Licensees to the Asserted Patents

67. All licensees to one or more of the Asserted Patents are identified in Confidential Exhibit 42C.

VI. RESPONDENT’S INFRINGEMENT OF THE ASSERTED PATENTS

68. As discussed above, the Accused Products are certain skid-steer loaders, compact track loaders, excavators, wheel loaders, dozers, and components thereof that infringe one or more claims of the Asserted Patents.

A. Infringement of U.S. Patent No. 8,364,356

69. Respondents infringe, either literally or under the doctrine of equivalents, at least claims 1-12 of the ’356 Patent by importing the Accused ’356 Products, selling the Accused ’356 Products for importation, and/or selling the Accused ’356 Products within the United States after importation.

70. Exemplary claim charts comparing the asserted independent claims of the ’356 Patent to representative Accused ’356 Products are attached as Exhibit 10.

B. Infringement of U.S. Patent No. 10,934,684

71. Respondents infringe, either literally or under the doctrine of equivalents, at least claims 1-13 and 15-19 of the ’684 Patent by importing the Accused ’684 Products, selling the Accused ’684 Products for importation, and/or selling the Accused ’684 Products within the United States after importation.

72. Exemplary claim charts comparing the asserted independent claims of the ’684 Patent to representative Accused ’684 Products is attached as Exhibit 11.

C. Infringement of U.S. Patent No. 8,047,760

73. Respondents infringe, either literally or under the doctrine of equivalents, at least claims 1-13 of the ’760 Patent by importing the Accused ’760 Products, selling the Accused ’760 Products for importation, and/or selling the Accused ’760 Products within the United States after importation.

74. Exemplary claim charts comparing claims the asserted independent claims of the ’760 Patent to representative Accused Products is attached as Exhibit 12.

D. Infringement of U.S. Patent No. 7,831,364

75. Respondents infringe, either literally or under the doctrine of equivalents, at least claims 1-9, 11-15, and 17-20 of the ’364 Patent by importing the Accused ’364 Products, selling

the Accused ’364 Products for importation, and/or selling the Accused ’364 Products within the United States after importation.

76. Exemplary claim charts comparing the asserted independent claims of the ’364 Patent to representative Accused ’364 Products are attached as Exhibit 13.

E. Indirect Infringement

77. On information and belief, Respondent also indirectly infringes the Asserted Patents by inducing and/or contributing to infringement. On information and belief, Respondent has actual knowledge of the Asserted Patents, including through at least the filing of this Complaint and the companion action in the U.S. District Court for the Eastern District of Texas. Further, Respondent has a practice of monitoring competitors and their patents. *See, e.g.*, *Wirtgen America, Inc. v. Caterpillar, Inc.*, Case No. 17-cv-00770) (D. Del.), D.I. 352 at 432:22-433:8 (CAT regularly receives reports on competitor patents, “review[s] competitive patents as they come in” and conducts “a monthly review as well.”). And Respondent has identified Bobcat as its competitor. *See* Exhibit 14[14] (noting that the “competitive environment for construction machinery is characterized by some global competitors,” including “Doosan Bobcat (Part of Doosan Group)”). Further, the ’760 Patent was cited at least during prosecution of Caterpillar’s U.S. Patent Application 2015/0360626; the ’364 Patent was cited at least during prosecution of Caterpillar’s U.S. Patent Application 2017/086,128; and the ’356 Patent was cited at least during prosecution of Caterpillar’s U.S. Patent No. 9,206,566. Therefore, on information and belief, Respondent has actual knowledge of the Asserted Patents.

[14] Caterpillar 2024 Annual Report, available at https://s7d2.scene7.com/is/content/Caterpillar/CM20250506-c118a-5d3cb (last accessed December 1, 2025).

78. On information and belief, Respondent induces infringement of the Asserted Patents under 35 U.S.C. § 271(b) by knowingly and intentionally inducing others to directly infringe, literally or under the doctrine of equivalents, the Asserted Patents. On information and belief, the Accused Products are specially designed to contain features that infringe the Asserted Patents, and the Accused Products have no substantial uses other than ones that infringe the Asserted Patents. On information and belief, Respondent actively promotes the sale, use, and importation of the Accused Products in marketing materials, technical specifications, data sheets, webpages, press releases, and user manuals, as well as through its sales and distribution channels that encourage infringing sales, offers to sell, and importation of the Accused Products. Through these actions, Respondent has had the specific intent to induce, or was willfully blind to inducing, infringement of the Asserted Patents. On information and belief, Respondent continues to engage in these activities with knowledge of the Asserted Patents and knowledge that the induced acts constitute infringement.

79. On information and belief, Respondent also contributes to infringement of the Asserted Patents under 35 U.S.C. § 271(c) by providing or selling the Accused Products to others. The Accused Products are specially designed and made for use in an infringing manner and are not staple articles of commerce suitable for any substantial non-infringing use. On information and belief, Respondent continues to engage in these activities with knowledge of the Asserted Patents and knowledge that its acts contribute to infringement.

VII. SPECIFIC INSTANCES OF UNFAIR IMPORTATION AND SALE

80. On information and belief, the Accused Products are manufactured overseas and then sold for importation into the United States by Respondent or on its behalf, imported into the United States by Respondent or on its behalf, and/or sold after importation by Respondent or on its behalf.

81. Excavators accused of infringing the ’356 and ’684 patents are manufactured abroad and imported for sale in the United States. For example, a listing for a 2025 Caterpillar 305.5 for sale in South Carolina indicates that the product was made in Japan. *See* Exhibit 15 (sales listing)[15]; Exhibit 16 (photo of origin label). A listing for a 2024 Caterpillar 303.5 CR for sale in Florida indicates that the product was made in Japan. *See* Exhibit 17 (sales listing)[16]; Exhibit 18(photo of origin label). A listing for a 2024 Caterpillar 302.7 for sale in Arkansas indicates that the product was made in China. *See* Exhibit 19 (sales listing)[17]; Exhibit 20 (photo of origin label).

82. Compact track loaders accused of infringing the ’356, ’760, and ’364 patents are manufactured abroad and imported for sale in the United States. For example, a listing for a 2024 Caterpillar 249D3 for sale in Utah indicates that the product was made in India. *See* Exhibit 21 (sales listing)[18]; Exhibit 22 (photo of origin label).

83. Skid-steer loaders accused of infringing the ’356, ’760, and ’364 patents are manufactured abroad and imported for sale in the United States. For example, a listing for a 2024 Caterpillar 272D3 for sale in Arizona indicates that the product was made in Brazil. *See* Exhibit

[15] https://www.equipmentfacts.com/listing/upcoming-auctions/248521639/2025-caterpillar-305-dot-5e2-mini-up-to-12000-lbs-excavators?gtmlt=1&_ga=2.223195672.2052657041.1758044051-1735943759

[16] https://www.machinerytrader.com/listing/for-sale/248253347/2024-caterpillar-303-dot-5cr-mini-up-to-12000-lbs-excavators

[17] https://www.machinerytrader.com/listing/for-sale/247978843/2024-caterpillar-302-dot-7cr-mini-up-to-12000-lbs-excavators

[18] https://www.machinerytrader.com/listing/for-sale/245892531/2024-caterpillar-249d3-track-skid-steers

23 (sales listing)[19]; Exhibit 24 (photo of origin label). A listing for a 2024 Caterpillar 226D3 for sale in Texas indicates that the product was made in India. *See* Exhibit 25 (sales listing)[20]; Exhibit 26 (photo of origin label).[21] A sales listing for a 2024 Caterpillar 262D3 for sale in Arizona indicates that the product was made in Brazil. *See* Exhibit 27 (sales listing)[22]; Exhibit 28 (photo of origin label).

84. In addition, components of the accused products specially made and adapted for infringement of the ’356 Patent and ’684 Patent are manufactured abroad and imported into the United States, where they are incorporated by Caterpillar into products that infringe those patents. For example, Caterpillar part number 566-7784 is an Electronic Control Module that “controls and monitors Electronic Components of Machine.” Exhibit 29 (https://parts.cat.com/en/ziegler/566-7784). It is compatible with Accused ’356 Products and Accused ’684 Products including the 285XE, 255, 265, 275XE, 275, and 285 compact track loaders, 250, 260, 270, and 270XE skid-steer loaders, and 301.8, 304, 305, 308, 307.5, 309, 301.6, 301.5, 306.5, 308.5, 303.5CR, 302.7CR, and 310 mini hydraulic excavators. *Id.* Images from sales listings of the part label show the part

19 https://www.holtcat.com/products/used?fn=ViewDetail&id=10216967&serial_number=TY300405

20 https://www.holtcat.com/products/used?fn=ViewDetail&id=10216493&serial_number=EK502910

21 https://surplusrecord.com/listing/cat-226d-skid-steer-loader-52-hours-s-n-ek502910-2024-804039/?srsltid=AfmBOornYnJdC5yT6NO_1Dp8jr19d-Y-Y-jogLPf6iSHhpc-70-d3zhd.

22 https://www.holtcat.com/products/used?fn=ViewDetail&id=10216969&serial_number=TP402460

was made in Mexico. Exhibit 30 (advancedtruckparts.com sales listing)[23]; Exhibit 31 (image from the same); Exhibit 32 (trucktotrailer.com sales listing)[24]; Exhibit 33 (image from the same).

85. In addition, components of the accused products specially made and adapted for infringement of the ’760 Patent are manufactured abroad and imported into the United States, where they are incorporated by Caterpillar into products that infringe that patent. Caterpillar part number 388-7960 is a hydraulic coupler. Exhibit 34 (https://parts.cat.com/en/catcorp/388-7960). It is compatible with Accused ’760 Products including the 259D3, 279D3, 289D3, and 299D3 compact track loaders and 249D3, 279D3, and 289D3 skid-steer loaders. *Id*. Images from sale listings of the part label show the part was made in Italy. Exhibit 35 (eBay sales listing)[25]; Exhibit 36 (image from the same); Exhibit 37 (novi.com.tr sales listing).

86. In addition, importation records indicate that Caterpillar continues to import infringing skid-steer loaders and compact track loaders. Bill of lading number ONEYMAAF10581600, dated May 25, 2025, describes the imported product as a “skid steer loader.” Exhibit 44 (2025 import records). Bill of lading number ONEYMAAF07977700, dated May 21, 2025, describes the imported product as a “skid steer loader.” *Id*. Bill of lading number ONEYMAAF11047400, dated May 25, 2025, describes the imported product as a “compact track loader.” *Id*. Bill of lading number ONEYMAAF07975500, dated May 25, 2025, describes the imported product as a “skid steer loader, compact track loader.” *Id*. Although these records do not appear to indicate the model of skid steer loader or compact track loader, on information and

[23] https://advancedtruckparts.com/products/566-7784-cat-control-gp-e?srsltid=AfmBOorkBagN9X45Vj5IwHqG1T3o-IhxPLAz0J3IQg5QFQ6GRE5kGLBX

[24] https://trucktotrailer.com/products/566-7784-cat-control-gp-e?srsltid=AfmBOoo-TQAmL43gH2aFVmCgO14YysRzydbxsWZBiqtAuPz5DHfB8jPC

[25] https://www.ebay.com/itm/357546901942

belief all current model skid steer loaders and compact track loaders are accused of infringement, and thus these records evince importation of accused skid steer loaders and compact track loaders.

87. This evidence of importation is consistent with Respondent's website, which indicates foreign manufacture of the accused product lines, including in India, China, Mexico, Japan, and Brazil.[26]

VIII. HARMONIZED TARIFF SCHEDULE NUMBERS

88. The Accused Products are classified under at least the following subheading of the Harmonized Tariff Schedule of the United States: 8429, 8429.11.00, 8429.19.00, 8429.40.00, 8429.51, 8429.51.10, 8429.51.50, 8429.52, 8430, 8430.50, 8430.50.10, 8430.50.50, 8430.61.00.

89. These classifications are exemplary in nature and not intended to restrict the scope of any exclusion order or other remedy ordered by the Commission.

IX. THE DOMESTIC INDUSTRY RELATING TO THE ASSERTED PATENTS

90. A domestic industry, as set forth in 19 U.S.C. § 1337(a)(2) and defined by 19 U.S.C. § 1337(a)(3), exists in the United States in relation to Bobcat products that are protected by the Asserted Patents.

[26] https://www.caterpillar.com/en/company/global-footprint/india.html.
https://www.caterpillar.com/en/company/global-footprint/china.html.
https://www.caterpillar.com/en/company/global-footprint/mexico.html.
https://www.caterpillar.com/en/company/global-footprint/japan.html.
https://www.caterpillar.com/en/company/global-footprint/brazil.html.

A. Technical Prong

91. Representative claim charts, attached as Exhibits 38, 39, 40C, and 41 show that the products identified in those claim charts (the representative "Domestic Industry Products") are protected by at least one claim of each of the Asserted Patents.[27]

B. Economic Prong

92. For all Asserted Patents, there is a domestic industry pursuant to 19 U.S.C. § 1337(a)(3)(A), (B), and (C) based on Bobcat's continuing significant U.S. investment in plant, equipment, labor, and capital, as well as Bobcat's continuing substantial U.S. investment in research, development, and engineering. These investments, which are hundreds of millions of dollars, were made by Bobcat to develop and create the Domestic Industry Products, bring them to market, and sustain their success through continuous technological development. Details regarding these investments are set forth in the Confidential Declaration of Becky Streitz (Confidential Exhibit 43C).

93. Bobcat's domestic investments are significant and substantial under Section 337, both in absolute terms and relative to Bobcat's overall operations. These domestic investments and activities are vital to Bobcat's domestic business with respect to the Domestic Industry Products and represent significant added value.

94. With respect to the '684 patent, Bobcat is also in the process of being establishing a further domestic industry related to the Domestic Industry Products. Bobcat has taken and is continuing to take necessary, tangible steps to establish that domestic industry (e.g., Bobcat has fully developed the Drive by Joystick feature, which can be implemented in both the specifically

[27] The Domestic Industry Products are protected by additional claims of the Asserted Patents, and Bobcat may establish the technical prong of the domestic industry requirement through claims other than those explicitly charted.

listed Domestic Industry Products for the ’684 patent and additional Bobcat products), and there is a significant likelihood that the domestic industry requirement will be additionally satisfied in the future by that further domestic industry. *See, e.g.*, Confidential Declaration of Becky Streitz (Confidential Exhibit 43C) at ¶ 15.

X. RELATED LITIGATION

95. Bobcat is concurrently filing a complaint in the U.S. District Court for the District of Eastern Texas alleging infringement of the same Asserted Patents against Respondent, and a further complaint in the U.S. District Court for the District of Eastern Texas alleging infringement of different patents against Respondent.

XI. RELIEF REQUESTED

96. Bobcat respectfully requests that the Commission:

(a) Institute an investigation pursuant to Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, with respect to Respondent’s violations of that section based on the importation into the United States, sale for importation, and/or sale within the United States after importation of skid-steer loaders, compact track loaders, excavators, wheel loaders, dozers, and components thereof that infringe one or more claims of the Asserted Patents;

(b) Schedule and conduct a hearing pursuant to Section 337(c) for the purposes of (i) receiving evidence and hearing argument concerning whether there has been a violation of Section 337, and (ii) following the hearing, determining that there has been a violation of Section 337;

(c) Issue a permanent limited exclusion order pursuant to 19 U.S.C. § 1337(d) forbidding entry into the United States of certain skid-steer loaders, compact track loaders, excavators, wheel loaders, dozers, and components thereof that infringe one or more claims of the

Asserted Patents and are manufactured, imported, sold for importation, and/or sold after importation by or on behalf of Respondent, its subsidiaries, related companies, and agents;

(d) Issue permanent cease and desist orders pursuant to 19 U.S.C. § 1337(f) prohibiting Respondent, its domestic subsidiaries, related companies, and agents from engaging in the importation, sale for importation, marketing and/or advertising, distribution, offering for sale, sale, use after importation, sale after importation, and other transfer within the United States (except for exportation) of certain skid-steer loaders, compact track loaders, excavators, wheel loaders, dozers, and components thereof that infringe one or more claims of the Asserted Patents;

(e) Impose a bond pursuant to 19 U.S.C. § 1337(j) on the importation of any certain skid-steer loaders, compact track loaders, excavators, wheel loaders, dozers, and components thereof that infringe one or more claims of the Asserted Patents during the 60-day Presidential review period;

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

Dated: December 2, 2025

Respectfully submitted,

/s/ S. Alex Lasher

S. Alex Lasher
K. Kevin Chu
QUINN EMANUEL URQUHART & SULLIVAN, LLP
1300 I Street, NW, Suite 900
Washington, D.C. 20005
Tel.: (202) 538-8000

Sean Pak
Iman Lordgooei
Quinn Emanuel Urquhart & Sullivan, LLP
50 California Street, 22nd Floor
San Francisco, CA 94111
Tel.: (415) 875-6600

Nathan Hamstra
Marc Kaplan
Quinn Emanuel Urquhart & Sullivan, LLP
191 N. Wacker Drive, Suite 2700
Chicago, IL 60606
Tel.: (312) 705-7400

D. James Pak
Valerie Lozano
Quinn Emanuel Urquhart & Sullivan, LLP
865 S Figueroa St 10th Floor
Los Angeles, CA 90017
Tel.: (213) 443-3000

Counsel for Complainant Doosan Bobcat North America, Inc.