

PRESS RELEASE

November 30, 2017

In April 2017, two years after Covertech's complete trial victory in its trademark case against TVM Building Products, the US Court of Appeals for the Third Circuit issued a precedential opinion affirming the judgment in favor of Covertech in all material aspects.

Like the District Court, the Third Circuit determined that Covertech, and not TVM, was the true owner of the ULTRANT RADIANT BARRIER trademark. The Third Circuit also affirmed the District Court's ruling that TVM, via its president Michael Boulding, had committed fraud on the United States Patent and Trademark Office.

In making those determinations, the Third Circuit noted that the District Court had specifically found Mr. Boulding to be not credible. The Third Circuit also affirmed the District Court's ruling that Covertech did not acquiesce in TVM's use of Covertech's marks. While the Third Circuit did adjust the amount of damages owed to Covertech, it was only by a negligible amount (i.e. less than 1%). Covertech's judgment against TVM is still more than \$5.4M.

To date, TVM has failed to pay Covertech a cent of the money it is owed. In order to recover the monies it is owed, Covertech has filed a lawsuit against Mitex International, Inc. and other defendants asserting various legal claims, including one contending that Mitex International is the successor-in-interest to TVM.

If you would like more information concerning the Ultra NT radiant Barrier or any other rFOILTM product manufactured by Covertech please call 416-798-1340 ext 206 and ask for John Starr, Vice President/Partner.



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