

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**

RUN THEM SWEET LLC, individually  
and on behalf of those similarly situated,

Plaintiff,

vs.

CPA GLOBAL LIMITED and  
CPA GLOBAL NORTH AMERICA LLC,

Defendants.

Case No. 1:16-cv-01347-TSE-TCB

CLASS ACTION

**NOTICE OF PROPOSED SETTLEMENT OF CLASS ACTION**

**THIS NOTICE CONCERNS SETTLEMENT OF A LAWSUIT  
AGAINST CPA GLOBAL ABOUT FOREIGN PATENT RENEWALS  
THAT MAY ENTITLE YOU TO RECEIVE A PAYMENT**

This is a Notice of a proposed Settlement in a class action lawsuit captioned *Run Them Sweet LLC v. CPA Global Limited and CPA Global North America LLC*, No. 1:16-cv-01347-TSE-TCB, pending in the U.S. District Court for the Eastern District of Virginia (“the Lawsuit”).

**WHY DID YOU GET THIS NOTICE?**

You are receiving this Notice because, according to CPA Global’s records, you are a member of the proposed Settlement Class, as defined below. You are not being sued.

**WHAT DO I NEED TO DO?**

Your options are described more fully in the “Your Options” section below. In summary:

1. If you do nothing, you will automatically receive a check for your settlement amount (see below) and you will give up your rights to sue CPA Global for the foreign patent renewals at issue.
2. You can “opt out” of the Settlement. You will not get any money from the case, but you will keep your rights to sue CPA Global with your own lawyers at your own expense if you wish to do that.
3. You can stay in the case but object to the Settlement and tell the Court why you think the Settlement should not be approved, or support the Settlement and tell the Court why you think the Settlement is fair and should go forward.

**WHAT IS THE LAWSUIT ABOUT?**

Plaintiff filed the Lawsuit, alleging that CPA Global overcharged certain clients for country and foreign exchange charges with respect to foreign patent renewal services that CPA Global performed under its contracts with clients. CPA Global at all times has denied and continues to deny any wrongdoing whatsoever and has maintained and continues to maintain that it has not committed any wrongful act or violation of law. In addition, CPA Global maintains that it has strong, meritorious defenses to the claims alleged in the Lawsuit and that it was prepared to vigorously defend all aspects of the Lawsuit. Nonetheless, CPA Global has agreed to enter into the Settlement to avoid the further expense, inconvenience, and distraction of burdensome litigation, and has determined that it is desirable and beneficial to settle and terminate the Lawsuit in the manner and upon the terms and conditions set forth in the Settlement Agreement.

The Court has preliminarily approved the Settlement. According to CPA Global's records, you are a member of the proposed Settlement Class, which means that between January 1, 2012, and December 31, 2016 (the "Class Period"), you met the following criteria:

- You are a former or current CPA Global patent holder client located in the United States; and
- You were introduced to CPA Global by an introducer agent<sup>1</sup>; and
- Within any calendar year in the Class Period, you had 20 or fewer foreign (non-US) patent renewals performed by CPA Global; and
- You did not, within any calendar year in the Class Period, have more than 40 foreign patent renewals performed by CPA Global.

## **WHAT ARE THE TERMS OF THE SETTLEMENT?**

The total amount of the Settlement Fund is \$5,600,000. Each member of the Class will be paid based on the costs of their foreign patent renewals in years since 2012 for years in which they had twenty or fewer renewals. The lawyers who brought the Lawsuit ("Class Counsel," listed below) will ask the Court to award them up to \$1,864,800 in attorneys' fees and expenses for the time and effort they put into this case. The Class Representative also will apply to the Court for a payment of up to \$25,000 in recognition of its service to the Settlement Class. Any amounts awarded to Class Counsel and the Class Representative will be paid from the Settlement Fund. The Settlement Fund also will cover costs associated with notice and administration of the Settlement. These costs include the cost of mailing notice of the Settlement, as well as the costs of administering the Settlement Fund. Attorneys' fees, the Class Representative's service payment, and the expenses of notice and administration will be deducted from the Settlement Fund before the balance is distributed to Settlement Class Members (the "Settlement Class Recovery"), as set forth below.

CPA Global has also agreed that Settlement Class Members' future invoices will separately set forth the amount of the Official Fee, the Administration Fee, and the Country Charge for each patent renewal, and will include a description of the components comprising each charge.

## **HOW MUCH WILL I BE PAID?**

If the Court approves the Settlement, every Settlement Class Member who does not timely opt out of the Settlement will be entitled to a *pro rata* share of the Settlement Class Recovery. Your *pro rata* share will be calculated by the Settlement Administrator based upon a ratio of your total payments to CPA Global of fees at issue in the litigation to the total payments of all Settlement Class Members to CPA Global of fees at issue in the litigation. Specifically, the Settlement Administrator will: (1) calculate each Settlement Class Member's total payments to CPA Global of fees at issue in the litigation for each year in which the Settlement Class Member had 20 or fewer foreign patent renewals ("Qualified Payments"); (2) determine the combined total of all Qualified Payments for all Settlement Class Members ("Qualified Payment Total"); (3) determine the percentage of the Qualified Payment Total that is represented by each Settlement Class Member's Qualified Payments ("Pro Rata Percentage"); and (4) apply each Settlement Class Member's Pro Rata Percentage to the Settlement Class Recovery to determine that Settlement Class Member's Pro Rata Fund Share. Based on this formula, your Pro Rata Fund Share should be not less than the amount set forth in your mailed notice, based on the total number of Qualified Payments within the Class Period. You do not need to do anything to claim your Pro Rata Fund Share. A check will be sent to you if the Settlement is approved by the Court.

## **WHAT IS A CLASS ACTION?**

In a class action, one or more people or entities, called "class representatives" (in this case, Run Them Sweet), sue on behalf of people who have similar claims. All of those people or entities together are a "class" or "class members." The Settlement in this Lawsuit, if approved by the Court, resolves the claims of all Settlement Class Members, except for those who exclude themselves from the Settlement Class.

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<sup>1</sup> For example, a law firm or patent agent.

## WHY IS THERE A SETTLEMENT?

The Court did not decide in favor of the Plaintiff or CPA Global. Instead, both sides have agreed to a Settlement. This avoids the cost, risk, and delay of trial. Under the Settlement, members of the Settlement Class will have the opportunity to obtain a payment in exchange for giving up certain legal rights. The Class Representative and Class Counsel think the Settlement is best for all Settlement Class Members.

## YOUR OPTIONS

Your choices are to:

- 1. Do Nothing.** If you do nothing, and the Settlement is finally approved by the Court, you will be eligible to receive a payment from the Settlement Class Recovery as described above and you will be bound by all of the terms of the Settlement, including the releases of claims. You will not need to do anything to receive your payment. If you move from your current location prior to receiving payment, please send your updated contact information to: Foreign Patent Renewal Settlement Administrator, P.O. Box 404010, Louisville, KY 40223-4010.
- 2. Exclude yourself.** You may “opt out” and exclude yourself from the Settlement. If you opt out, you will not be eligible to receive any payment, and you will not release any claims you may have—you will be free to pursue whatever legal rights you may have at your own risk and expense. To exclude yourself from the Settlement, you must mail a request for exclusion to the Foreign Patent Renewal Settlement Administrator, P.O. Box 404010, Louisville, KY 40223-4010, postmarked by August 31, 2017, that includes your full name, address, telephone number, a statement that you wish to be excluded from the Settlement, and your personal signature (or the signature of an authorized representative). A request to be excluded that does not comply with all of the above criteria will be considered invalid. If you make such an invalid exclusion request, you will be bound by all of the terms of the Settlement, if finally approved by the Court, including the releases of claims, and you will be eligible to receive a payment from the Settlement Class Recovery.
- 3. Object to the Settlement.** You may object to the Settlement by submitting a written objection in *Run Them Sweet LLC v. CPA Global Limited and CPA Global North America LLC*, No. 1:16-cv-01347-TSE-TCB, to the Clerk of Court, United States District Court for the Eastern District of Virginia, Albert V. Bryan U.S. Courthouse, 401 Courthouse Square, Alexandria, VA 22314, Objections will only be considered if the written objection is received by the Court at the aforementioned address on or before August 31, 2017. You must also send a copy of your objection to the Foreign Patent Renewal Settlement Administrator, P.O. Box 404010, Louisville, KY 40223-4010, postmarked on or before August 31, 2017. Any objection to the Settlement must include your full name; address; telephone number; all grounds for your objection, with factual and/or legal support for each stated ground; the identity of any witnesses you may call to testify; copies of any exhibits that you intend to introduce into evidence at the Final Approval Hearing; and a statement of whether you intend to appear at the Final Approval Hearing with or without counsel. Attendance at the hearing is not necessary; however, persons wishing to be heard orally (either personally or through counsel) in opposition to the approval of the Settlement are required to file a timely objection as set forth above. If you submit an objection to the Settlement that does not meet the above criteria, your objection will be considered invalid and waived, such that you will be barred from making that objection in this Lawsuit or any other action or proceeding.

## WHEN WILL I BE PAID?

If the Court approves the Settlement, you will be paid after the court order becomes final. If there is an appeal of the Settlement, payment may be delayed. The Settlement Administrator will provide information about the timing of payment at [www.ForeignPatentRenewalSettlement.com](http://www.ForeignPatentRenewalSettlement.com).

Once you receive a payment from the Settlement Administrator, **YOU MUST CASH THE CHECK WITHIN 90 DAYS OF THE DATE IT WAS ISSUED.** If you do not cash the check within 90 days of the date it was issued as indicated on the check, you agree that you waive your claim for payment and the check shall be rescinded and void and an amount equal to the amount of uncashed checks may be distributed *pro rata* to Class Members who did cash their checks. Any remaining monies, including to the extent a second distribution is not administratively feasible, shall be distributed as a *cy pres* award to a non-profit organization called Iridescent.

### **WHO REPRESENTS THE SETTLEMENT CLASS?**

The attorneys who have been appointed by the Court to represent the Settlement Classes as Class Counsel are:

Ethan Brown  
Geoffrey Neri

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### **SHOULD I HIRE MY OWN LAWYER?**

You don't need to hire your own lawyer because Class Counsel are working on your behalf. But, if you want your own lawyer, you will have to pay that lawyer. For example, you can ask your lawyer to appear in Court for you if you want someone other than Class Counsel to represent you.

### **WHAT RIGHTS AM I GIVING UP IN THIS SETTLEMENT?**

If the Court gives final approval to the Settlement, Settlement Class Members that have not filed valid exclusion requests will be deemed to have released their rights to sue or continue a lawsuit against CPA Global and the other CPA Global Released Parties related to the Qualified Payments in this Settlement. Giving up your legal claims is called a release.

### **WHEN AND WHERE WILL THE COURT DECIDE WHETHER TO APPROVE THE SETTLEMENT?**

The Court will hold a Final Approval Hearing (the "Hearing") at 10:00 a.m. on October 6, 2017. The Hearing will be held in Courtroom 900 of the United States District Court for the Eastern District of Virginia, Albert V. Bryan U.S. Courthouse, 401 Courthouse Square, Alexandria, VA 22314. At the Hearing, the Court will consider whether the proposed Settlement is fair, reasonable, and adequate and whether to approve the Settlement. The Court will hear objections to the Settlement, or statements in support of the Settlement, if any. At the Hearing, the Court will also consider Class Counsel's request for attorneys' fees and a service award to the Class Representative. The Hearing may be continued at any time by the Court without further notice to you. If the Court does not approve the Settlement, or if it approves the Settlement and the approval is reversed on appeal, or if the Settlement does not become final for some other reason, you will not be paid at this time and the case will continue. The parties may negotiate a different settlement or the case may go to trial.

**DO NOT ADDRESS QUESTIONS ABOUT THE SETTLEMENT OR THE LAWSUIT TO THE CLERK OF THE COURT OR TO THE JUDGE. MORE INFORMATION ABOUT THE SETTLEMENT IS AVAILABLE AT [WWW.FOREIGNPATENTRENEWALSETTLEMENT.COM](http://WWW.FOREIGNPATENTRENEWALSETTLEMENT.COM) OR TOLL-FREE AT 1-866-604-4088.**

DATE: JULY 10, 2017