

**UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, DC**

In the Matter of

CERTAIN FOUNDRY COKE

Investigation No. 337-TA-1512

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

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D	Copy of Prosecution History of U.S. Application No. 17/306,895 (parent application to '915 patent)

GLOSSARY

Term/Abbreviation	Description
'915 patent	U.S. Patent No. 12,600,915
Accused Czech Foundry Coke	Foundry coke sold for importation, imported, or sold after importation by the Proposed Czech Coke Respondents
Accused Italiana Foundry Coke	Foundry coke sold for importation, imported, or sold after importation by the Proposed Italiana Coke Respondents
AMEX	Proposed Respondent AMEX Coal Sp. z o.o.
Asserted Patent	U.S. Patent No. 12,600,915
CRI	Coke Reactivity Index
CSR	Coke Strength after Reaction
Italiana Coke	Proposed Respondent Italiana Coke S.r.l.
Jewell	Complainant Jewell Coke Company L.P.
Jewell facility	Jewell's manufacturing plant in Vansant/Oakwood (Buchanan County), Virginia
METALIMEX	Proposed Respondent METALIMEX a.s.
METALIMEX Deutschland	Proposed Respondent METALIMEX Deutschland GmbH
MTX	Proposed Respondent MTX Group a.s.
OKK	Proposed Respondent OKK Koksovny, a.s.
Proposed Czech Coke Respondents	Proposed Respondents MTX Group a.s.; OKK Koksovny, a.s.; METALIMEX a.s.; METALIMEX Deutschland GmbH; and AMEX Coal Sp. z o.o.
Proposed Italiana Coke Respondents	Proposed Respondents Italiana Coke S.r.l. and Terminal Alti Fondali Savona S.r.l.
Proposed Respondents	Proposed Czech Coke Respondents and Proposed Italiana Coke Respondents
SunCoke	Complainants SunCoke Technology and Development LLC and Jewell Coke Company L.P.
SunCoke T&D	Complainant SunCoke Technology and Development LLC
SunCoke Foundry Coke	Foundry coke that is produced at the Jewell facility
TAFS	Proposed Respondent Terminal Alti Fondali Savona S.r.l.
USPTO	U.S. Patent and Trademark Office

I. INTRODUCTION

1. Complainants SunCoke Technology and Development LLC (“SunCoke T&D”) and Jewell Coke Company L.P. (“Jewell”) (collectively, “SunCoke”) request that the U.S. International Trade Commission institute an investigation pursuant to Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337 (“Section 337”), to remedy the unlawful importation, sale for importation, and/or sale after importation by the following entities (collectively, the “Proposed Respondents”) of certain foundry coke products that infringe SunCoke’s patents:

- a. MTX Group a.s. (“MTX”), OKK Koksovny, a.s. (“OKK”), METALIMEX a.s. (“METALIMEX”), METALIMEX Deutschland GmbH (“METALIMEX Deutschland”), and AMEX Coal Sp. z o.o. (“AMEX”) (collectively, the “Proposed Czech Coke Respondents”); and
- b. Italiana Coke S.r.l. (“Italiana Coke”) and Terminal Alti Fondali Savona S.r.l. (“TAFS”) (collectively, the “Proposed Italiana Coke Respondents”).

2. SunCoke is the largest independent metallurgical coke producer in the United States and a leading domestic producer of foundry coke, a high-carbon industrial fuel made from coal. Ex. 41 at 3; Ex. 42. Foundry coke is produced by heating specialized blends of metallurgical coal in large ovens at very high temperatures, which drives off volatile gases and leaves behind a hard, porous carbon material. The resulting foundry coke is used by metal foundries in cupola furnaces (tall, cylindrical furnaces) in metalcasting applications, where iron and other metals are melted and poured into molds to make geometrically complex parts that serve as inputs for a wide range of critical downstream industries. Ex. 41 at 9. Applications span from national defense (e.g., military vehicles, gear, and firearm parts), automotive production (e.g., brakes and engine parts), energy and power-generation infrastructure (e.g., oil/gas pipelines, nuclear-plant turbines/impellers, wind turbines), heavy machinery and construction (e.g., transmission cases, axle housings, and structural

nodes for high rises and bridges) to municipal and water infrastructure (e.g., high-pressure piping, fire hydrants, manhole covers). *See* Ex. 41 at 3–4, 9–10, 24–25; Conf. Ex. 15C ¶ 7.

3. When considering both the upstream and downstream U.S. industries that SunCoke’s foundry coke supports, the products at issue here implicate not only SunCoke’s domestic economic interests—which alone strike at the heart of Section 337—but also U.S. strategic interests more broadly. SunCoke’s foundry coke is produced from American metallurgical coal, manufactured in an American plant, transported using American logistics, and supplied to American foundries to make critical products for downstream American industries—supporting American jobs throughout the supply chain.

4. Foundry coke begins with metallurgical coal, a key output of the American coal industry and an executive policy priority. Pursuant to Executive Order 14261, the U.S. Department of Energy has designated metallurgical coal as a critical material, and the U.S. Department of the Interior has included metallurgical coal on its list of critical minerals. 90 Fed. Reg. 22711 (May 29, 2025); 90 Fed. Reg. 50494 (November 7, 2025). As a longstanding coke producer, and one of only two domestic producers of foundry coke, SunCoke is the largest purchaser of metallurgical coal in the United States.

5. Moreover, U.S. foundries, and the downstream U.S. industries that depend on them, require a reliable domestic supply of high-quality foundry coke to sustain their operations. Before SunCoke invested enormous resources to convert its Jewell facility in Vansant/Oakwood (Buchanan County), Virginia to produce domestic foundry coke, there were multiple domestic producers of foundry coke, but all except one ceased operations due to environmental challenges or other factors. Ex. 40 at 3, 8–9, 27; Ex. 41 at 35. As the number of domestic foundry-coke producers decreased, U.S. foundries increasingly turned to imported foundry coke to maintain

alternative supply sources. Conf. Ex. 15C ¶ 7. Today, SunCoke’s Jewell facility supplies approximately one-third of all the foundry coke consumed in the United States. *Id.* ¶ 10; *see also* Ex. 42. What’s more, SunCoke produces its foundry coke using a process that offers significant environmental advantages over imported foundry coke. Conf. Ex. 15C ¶ 9; Ex. 41 at 18.

6. Further, through its ongoing operations at the Jewell facility, SunCoke has continued its more than 50-year history of supporting and providing stable, well-paid employment to Buchanan County. Ex. 40 at 38–39. The Appalachian Regional Commission has classified Buchanan County as “Distressed,” indicating it is among the most economically challenged counties in the United States. *Id.* The Jewell facility accounts for approximately 5% of Buchanan County’s total employment and approximately 7% of county tax revenue annually, and its average employee retention rate is 12 years. *Id.*

7. SunCoke’s innovations in developing and setting up domestic manufacture of foundry coke at the Jewell facility are reflected in its issued U.S. patents. SunCoke asserts here U.S. Patent No. 12,600,915 (the “’915 patent”) (collectively, the “Asserted Patent”). A certified copy of the Asserted Patent is attached as Exhibit 1.¹ SunCoke T&D is the owner by assignment and holds all right, title, and interest in the Asserted Patent. Copies of the assignment records for the Asserted Patent are attached as Exhibit 3. Jewell is licensed under the Asserted Patent. Conf. Ex. 16C.

8. The Proposed Czech Coke Respondents import, sell for importation into the United States, and/or sell within the United States after importation foundry coke products (the “Accused Czech Foundry Coke”) that infringe the Asserted Patent. As addressed in Section V.A and in the claim chart attached as Exhibit 6, the Proposed Czech Coke Respondents directly infringe,

¹

contributorily infringe, and/or induce the infringement of at least the following claims of the Asserted Patent, either literally or under the doctrine of equivalents, in violation of Section 337(a)(1)(B) and 35 U.S.C. §§ 271(a), (b), and/or (c).

U.S. Patent No.	Asserted Claims²
12,600,915	1–4, 5, 7–13

9. The Proposed Italiana Coke Respondents import, sell for importation into the United States, and/or sell within the United States after importation foundry coke products (the “Accused Italiana Foundry Coke”) that infringe the Asserted Patent. As addressed in Section V.B and in the claim chart attached as Exhibit 8, the Proposed Italiana Coke Respondents directly infringe, contributorily infringe, and/or induce the infringement of at least the following claims of the Asserted Patent, either literally or under the doctrine of equivalents, in violation of Section 337(a)(1)(B) and 35 U.S.C. §§ 271(a), (b), and/or (c).

U.S. Patent No.	Asserted Claims
12,600,915	1, 3–4, 5, 7–13

10. Pursuant to Commission Rule 210.12(a)(12), the category of products that are accused in this complaint covers certain foundry coke products having nonconventional properties.

11. Pursuant to Commission Rule 210.12(a)(6)(i), SunCoke states that a domestic industry as defined in 19 U.S.C. §§ 1337(a)(2) and (3) exists in the United States relating to the articles and/or technology protected by the Asserted Patent. As discussed in Section VIII.A below and in the claim charts attached as Confidential Exhibit 13C, foundry coke manufactured at SunCoke’s Jewell facility (“SunCoke Foundry Coke”) practices at least one claim of the Asserted Patent. Further, as set forth in Section VIII.B below and in the Declaration of John Quanci (Confidential Exhibit 15C), SunCoke has made substantial investments in plant, equipment, labor,

² Bolded claim numbers correspond to independent claims.

and capital, as well as research and development and other activities to exploit the technologies covered by the Asserted Patent.

12. SunCoke seeks, as permanent relief, a limited exclusion order, pursuant to 19 U.S.C. § 1337(d), barring from entry into the United States certain foundry coke products manufactured or imported by or on behalf of the Proposed Respondents that infringe the Asserted Patent. SunCoke also seeks cease-and-desist orders, pursuant to § 1337(f), prohibiting the sale for importation, importation, sale after importation, distribution, offer for sale, promotion, marketing, advertising, testing, demonstration, warehousing inventory for distribution, solicitation of sales, programming, repairing, maintenance, use, transfer, and other commercial activity relating to such infringing foundry coke products. Further, pursuant to §§ 1337(e) and 1337(j), SunCoke requests that the Commission impose a bond during the 60-day Presidential Review Period to prevent further injury to SunCoke's domestic industry.

II. THE PARTIES

A. Complainants

13. Complainant SunCoke T&D is a limited liability company organized and existing under the laws of the State of Delaware.

14. Complainant Jewell is a limited partnership organized and existing under the laws of the State of Delaware.

15. SunCoke T&D and Jewell are affiliated companies under the SunCoke umbrella, and they are indirectly wholly owned subsidiaries of SunCoke Energy, Inc. The companies are headquartered and have a principal place of business at 1011 Warrenville Road, Suite 600, Lisle, Illinois 60532. Jewell further maintains and operates the Jewell facility—a substantial production facility at 1034 Dismal River Rd, Oakwood, Virginia 24631, where it manufactures foundry coke protected by the Asserted Patent.

16. SunCoke is a metallurgical coke producer with more than six decades of cokemaking experience, and several U.S. patents, including patents relating to foundry coke and its production. Ex. 41 at 3, 24; Conf. Ex. 15C ¶¶ 6, 11. SunCoke’s long domestic cokemaking history traces back to the Jewell Smokeless Coal Corporation, which was founded in 1952 by B. Ray Thompson. Ex. 41 at 3; Conf. Ex. 15C ¶ 6. By 1960, the company built three test ovens to forward integrate into cokemaking, and over the following decades developed the Jewell-Thompson oven design that became the foundation for SunCoke’s cokemaking ovens, which are more environmentally friendly than traditional byproduct-recovery ovens. Ex. 41 at 3, 18; Conf. Ex. 15C ¶¶ 6, 9.

17. SunCoke historically had produced blast-furnace coke used in steel production. Conf. Ex. 15C ¶ 7. Beginning in 2019, however, SunCoke sought to convert some of its domestic industrial base to develop and manufacture foundry coke. *Id.* ¶ 7. Foundry coke is a high-carbon material produced from metallurgical coal and supplied to foundry cupolas for casting metal into complex parts that serve as crucial inputs to downstream industries. *Id.* As noted, downstream applications span from national defense, automotive production, energy and power-generation infrastructure, heavy machinery and construction to municipal and water infrastructure. *See id.*; Ex. 41 at 3–4, 9–10, 24–25. At the time, blast-furnace coke faced oversupply, while domestic foundry-coke supply was shrinking and many domestic foundries were turning to imports. Conf. Ex. 15C ¶ 7; Ex. 40 at 3, 8–9, 27; Ex. 41 at 35. Recognizing a critical, domestic need for foundry coke, SunCoke evaluated which of its U.S. facilities could be repurposed to produce foundry coke and identified the Jewell facility as the most feasible opportunity. Conf. Ex. 15C ¶ 7.

18. This repurposing required significant effort and investment because foundry coke is distinct from blast furnace coke: it must be larger, have higher drop strength, and satisfy different

operational requirements in cupola furnaces. Conf. Ex. 15C ¶ 8. Moreover, up to that point, the U.S. foundry coke industry had long used byproduct-recovery ovens. *Id.* SunCoke sought instead to use its Jewell-Thompson (nonrecovery) ovens to produce high-quality foundry coke. *Id.* To test and establish this innovative process, SunCoke undertook single-oven blend trials in 2019 and 2020, and partnered with Hickman Williams (an established supplier of foundry coke) to run foundry trials involving at least 17 cupolas, followed by broader trials at 23 foundries from 2020 to 2021. *Id.*; Ex. 39 at 5.

19. SunCoke’s technological innovations led to commercial success. Conf. Ex. 15C ¶ 9. By 2021, SunCoke began producing and selling foundry coke at the Jewell facility on a commercial scale, confirming that its Jewell-Thompson (nonrecovery) ovens could support foundry-coke manufacture. *Id.*; Ex. 41 at 4, 13. These ovens combust volatile matter within the oven, avoiding the wastewater systems of traditional byproduct-recovery plants. Conf. Ex. 15C ¶ 9; Ex. 38 at 1; Ex. 39 at 8; Ex. 41 at 20. They also operate under negative pressure, which minimizes fugitive emissions, and were used by the EPA as the basis for the Maximum Achievable Control Technology (MACT) standards for new cokemaking facilities. Conf. Ex. 15C ¶ 9; Ex. 39 at 8; Ex. 41 at 18–20.

20. By 2025, the Jewell facility was manufacturing approximately one-third of the foundry coke used in the United States, had become the supplier for a majority of all cupolas, and was serving 32 foundries as well as 10 domestic industrial users of foundry coke. Conf. Ex. 15C ¶ 10.

21. Further, through the Jewell facility, SunCoke has continued its more than 50-year history of providing stable, well-paid employment to Buchanan County, which is classified as “Distressed” and among the most economically challenged counties in the United States. Ex. 40

at 38–39. The Jewell facility accounts for approximately 5% of Buchanan County’s total employment and approximately 7% of county tax revenue annually, and its average employee retention rate is 12 years. *Id.*

B. Proposed Respondents

1. Proposed Czech Coke Respondents

22. The Proposed Czech Coke Respondents operate as part of the vertically integrated MTX Group, which oversees the entire lifecycle of the Accused Czech Foundry Coke from production in the Czech Republic to its international distribution, including to the United States. *See* Ex. 19 at 8–9 (identifying companies under MTX Group). As discussed herein, the Proposed Czech Respondents manufacture, sell for importation, import, and/or sell after importation into the United States the Accused Czech Foundry Coke.

23. Proposed Respondent MTX Group a.s. (“MTX”) is a Czech company with a principal place of business at Štěpánská 621/34 110 00 Prague 1, Czech Republic. Ex. 17 at 2–3.

24. Proposed Respondent OKK Koksovny, a.s. (“OKK”) is a Czech company with a principal place of business at Koksární 1112/7 702 24 Ostrava-Přívoz, Czech Republic. Ex. 26.

25. Proposed Respondent METALIMEX a.s. (“METALIMEX”) is a Czech company with a principal place of business at Štěpánská 621/34 112 17 Prague 1, Czech Republic. Ex. 20.

26. Proposed Respondent METALIMEX Deutschland GmbH (“METALIMEX Deutschland”) is a German company with a principal place of business at Dr.-Alfred-Herrhausen-Allee 16, D-47228 Duisburg, Germany. Ex. 27 at 5.

27. Proposed Respondent AMEX Coal Sp. z o.o. is a Polish company with a principal place of business at Al. Niepodległości 809A, 81-810 Sopot, Poland. Ex. 28.

28. MTX is the ultimate parent company of the MTX Group and, on information and belief, directs the sale for importation, importation, and/or sale after importation of Accused Czech

Foundry Coke in the United States. On information and belief, MTX directly or indirectly owns all or a substantial portion of each of the other Proposed Czech Coke Respondents. *See* Ex. 19 at 8–9 (identifying companies under MTX Group). MTX’s “activities are focused on the management, financing, strategy, and coordination of all its companies.” Ex. 17 at 2; *see also* Ex. 19 at 9 (“We focus on managing, financing, and coordinating our companies as well as creating strategies for them.”).

29. OKK manufactures the Accused Czech Foundry Coke on behalf of the MTX Group, and on information and belief, OKK sells the Accused Czech Foundry Coke to METALIMEX and METALIMEX Deutschland for importation into the United States. *See* Ex. 19 at 8–9, 56 (explaining OKK is a producer of foundry coke for MTX Group); *see also* Ex. 21 (explaining “[o]ur basic activity is production of coke”); Ex. 22 (explaining OKK is a producer of foundry coke). OKK manufactures the Accused Czech Foundry Coke at its Svoboda Plant in Ostrava-Prívov, Czech Republic. Ex. 25. On its website, OKK describes itself as “the largest European producer of foundry coke.” Ex. 22; *see also* Ex. 19 at 8–9, 56. OKK further explains on its website that “[c]oke sales are provided by METALIMEX a.s.” Ex. 26.

30. METALIMEX is the commercial lead for the MTX group, and on information and belief, sells for importation, imports, and/or sells after importation the Accused Czech Foundry Coke in the United States. Among other things, METALIMEX handles the purchase of raw coking coal used as feedstock by OKK to manufacture the Accused Czech Foundry Coke, and METALIMEX subsequently sells the Accused Czech Foundry Coke. *See* Ex. 26 (“Coke sales are provided by METALIMEX a.s.”); Ex. 27 at 2 (“The company METALIMEX a. s. ... aims its production of coke (OKK – based in Ostrava, Czech Republic)...on high quality coal, the specifications of which are directed at the individual needs of customers and consumers. For the

purpose of understanding and the implementation of these customer requirements, METALIMEX relies on direct and immediate form of sale.”). On information and belief, METALIMEX negotiates sales contracts with U.S. buyers of the Accused Czech Foundry Coke and arranges for the exportation of the Accused Czech Foundry Coke out of Europe and its importation into the United States. *See* Ex. 20 (explaining METALIMEX “provide[s] comprehensive solutions...from securing raw materials...to optimized logistics”).

31. METALIMEX Deutschland also serves as a commercial lead for the MTX Group and sells Accused Czech Foundry Coke manufactured by OKK. Ex. 27 at 2; *see also* Ex. 18 (identifying METALIMEX Deutschland as a reseller of OKK-produced coke); Ex. 19 at 8–9 (same). According to the MTX Group, METALIMEX Deutschland’s sales are “*mainly* focused on the German, Dutch, Belgian, Luxembourg, and British markets.” Ex. 19 at 8–9 (emphasis added). METALIMEX Deutschland is thus named as a proposed respondent to the extent that it is involved in the sale for importation, importation, or sale after importation into the United States of the Accused Czech Foundry Coke.

32. AMEX serves as the logistical arm of the MTX Group and, on information and belief, imports the Accused Czech Foundry Coke into the United States. On its website, AMEX explains that it is wholly owned by METALIMEX and that it provides services including the import, export, and storage of coke. Ex. 28; *see also* Ex. 18; Ex. 19 at 8–9. On information and belief, AMEX manages the sea freight required to move shipments of the Accused Czech Foundry Coke from Baltic ports to U.S. ports. On information and belief, AMEX is also involved in the sale for importation and sale after importation of the Accused Czech Foundry Coke.

2. Proposed Italiana Coke Respondents

33. The Proposed Italiana Coke Respondents operate as part of the vertically integrated Italiana Coke Group, which oversees the entire lifecycle of the Accused Italiana Foundry Coke

from production in Italy to its international distribution, including to the United States. *See* Ex. 29 (explaining “[t]he group comprises Italiana Coke S.r.l. and Terminal Alti Fondali Savona S.r.l.,” and it “produces...foundry coke”); Ex. 30 (“All our coke is obtained through the distillation of high-quality imported coal. We directly follow the entire logistics chain of raw materials, from the loading ports to the unloading operations at our Savona terminal.”). As discussed herein, the Proposed Italiana Respondents manufacture, sell for importation, import, and/or sell after importation into the United States the Accused Italiana Foundry Coke.

34. Proposed Respondent Italiana Coke S.r.l. (“Italiana Coke”) is an Italian company with a principal place of business at Corso Stalingrado, 25, 17014 Cairo Montenotte (SV), Italy. Ex. 34. It also maintains a registered office at Via San Vincenzo, 2, 16121 Genova (GE), Italy, which it uses in connection with imports to the United States. *Id.*

35. Proposed Respondent Terminal Alti Fondali Savona S.r.l. (“TAFS”) is an Italian company with a principal place of business at Porto di Savona, Zona 29, 17100 Savona (SV), Italy. Ex. 36. It also maintains an administrative office at Corso Stalingrado, 25, 17014 Cairo Montenotte (SV), Italy and a registered office at Via San Vincenzo, 2, 16121 Genova (GE), Italy. *Id.*

36. Italiana Coke manufactures, sells for importation, imports, and/or sells after importation the Accused Italiana Foundry Coke. Italiana Coke sources coking coal and uses it to manufacture the Accused Italiana Foundry Coke at its production facility in Cairo Montenotte. *See* Ex. 31 (describing Italiana Coke’s acquisition of the Cairo Montenotte facility); *see also* Ex. 32 (explaining “[w]e directly follow the entire logistics chain of raw materials, from the loading ports to the unloading operations”). It then delivers the Accused Italiana Foundry Coke to Terminal Alti Fondali Savona S.r.l. for international distribution, including to the United States. Ex. 33. For example, Italiana Coke explains on its website that “[t]he coke produced in Cairo Montenotte is

delivered by road, rail or sea” and that “[i]n addition to the European market, Italiana Coke can also reach...American markets,” specifically identifying “the United States” as a “main non-European destination.” *Id.* Italiana Coke further indicates that it is responsible for the sale of foundry coke. *Id.* (“[w]e sold...[a]pproximately 205,000 tonnes” of foundry coke globally).

37. TAFS serves as the Italiana Coke Group’s logistical arm and on information and belief, imports the Accused Italiana Foundry Coke into the United States. Among other things, TAFS provides the port infrastructure and logistics services needed to move raw coking coal to the Cairo Montenotte facility for production of the Accused Italiana Foundry Coke and then to move it from Italian ports to international destinations, including U.S. ports. *See* Ex. 37 (“Raw materials and finished products logistics managed by Terminal Alti Fondali Savona, who belongs to the Italian Coke group. TAFS provides loading, unloading, transportation and storage of goods both to the plant and final customers.”); *see also* Ex. 33 (explaining “Italiana Coke can also reach...American markets,” specifically identifying “the United States”). On information and belief, TAFS is also involved in the sale for importation and sale after importation of the Accused Italiana Foundry Coke.

III. THE TECHNOLOGY AND PRODUCTS AT ISSUE

38. The products and technology at issue in this Investigation concern foundry coke. As discussed above, foundry coke is a high-carbon industrial fuel produced from coal. It is used by metal foundries to fuel cupola furnaces that melt iron and recycled steel to produce cast iron and ductile iron products (among other metals). Inside the cupola, the coke performs three critical functions. First, it generates the intense heat needed to melt the metal charge. Second, it supplies carbon that transfers directly into the molten iron. Third, it physically supports the heavy metal burden stacked above it while allowing combustion gases to flow upward through the furnace. To

perform these functions, foundry coke must be large—at least four inches in size—and possess exceptional strength, high fixed-carbon content, and low impurity levels.

39. Foundry coke is distinct from the more common blast-furnace coke used in steel production. Ex. 39 at 17. Foundry coke must be larger, have higher drop strength, and satisfy different operational requirements. *Id.* Conventionally, foundry coke has a substantially round shape and is classified as coke with a diameter of at least four inches. The Asserted Patent describes innovations that improve foundry-coke performance through a combination of shape, chemical composition, and physical properties not found in conventional foundry-coke products.

IV. THE ASSERTED PATENT AND NON-TECHNICAL DESCRIPTIONS OF THE INVENTIONS³

A. U.S. Patent No. 12,600,915

1. Identification of the Patent and Ownership

40. U.S. Patent No. 12,600,915, titled “High-Quality Coke Products,” was duly and legally issued on April 14, 2026 and lists John Francis Quanci and Jonathan Perkins as inventors. A copy of the ’915 patent is attached as Exhibit 1.

41. The ’915 Patent issued from U.S. Application No. 18/363,465, filed on August 1, 2023. Ex. 1 at cover. The ’915 Patent is a divisional of U.S. Application No. 17/306,895, filed on May 3, 2021, now U.S. Patent No. 11,767,482, which claims priority to U.S. Provisional Application No. 63/019,405, filed on May 3, 2020. *Id.*

42. The ’915 patent is valid and enforceable, and it is in full force and effect until its anticipated expiration on May 3, 2041.

³ All non-technical descriptions of and characterizations of the patents are for the purposes of providing general information only and should not be interpreted as representations regarding the scope or applicability of any patent, or the requirements or meaning of any patent claims.

43. The '915 patent is assigned to SunCoke T&D, which holds all rights, title, and interest in the '915 patent. Ex. 3.

44. The '915 patent contains 13 claims, including 3 independent claims and 10 dependent claims.

45. Pursuant to Commission Rule 210.12(c), a certified copy of the prosecution history of the '915 patent is included in Appendix A. The prosecution histories of the applications to which the '915 patent claims priority are included in Appendices C–D.

2. Non-Technical Description of the Patent

46. The '915 patent generally relates to coke having an oblong shape with a certain length-to-width ratio, as well as certain levels of sulfur, moisture, fixed carbon, and ash. The oblong “finger shape” contrasts with the substantially round shape of conventional foundry coke. When loaded into a cupola furnace as a packed bed, the oblong shape produces two key advantages. First, the oblong coke pieces pack less densely than round coke, creating more open channels for combustion gases to flow upward through the bed. This improves gas permeability and reduces the energy lost to the endothermic Boudouard reaction, in which carbon dioxide reacts with hot coke to consume carbon and form carbon monoxide. Second, the oblong shape increases the total surface area available for coke-metal reactions, promoting greater carbon transfer to the molten iron.

3. Foreign and Domestic Counterparts to the Patent

47. Exhibit 5 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 the '915 patent, with an indication of the prosecution status of each such patent application.

4. Licenses

48. SunCoke T&D filed and prosecuted the applications that resulted in the '915 patent to support Jewell's operations and to allow Jewell to exploit the underlying inventions. Conf. Ex. 15C ¶ 14. Since the issuance of the '915 patent, Jewell has operated under an implied license from SunCoke T&D, which was memorialized in the agreement attached as Confidential Exhibit 16C.

V. UNLAWFUL AND UNFAIR ACTS OF PROPOSED RESPONDENTS

A. Proposed Czech Coke Respondents

49. The Proposed Czech Coke Respondents import into the United States, sell for importation into the United States, and/or sell within the United States after importation the Accused Czech Foundry Coke, which infringes the Asserted Patent under 35 U.S.C. § 271(a), either literally or under the doctrine of equivalents. These activities by the Proposed Czech Coke Respondents constitute a violation of Section 337.

50. The Accused Czech Foundry Coke infringes at least claims **1–4, 5, and 7–13** of the '915 patent (independent claims **bolded**). The Accused Czech Foundry Coke has been tested to confirm that it has the claimed properties as set forth in Exhibit 10. All testing was performed according to ASTM International Standards. . A claim chart comparing the Accused Czech Foundry Coke to the asserted claims based on exemplary evidence is attached as Exhibit 6. Further discovery may reveal that the Proposed Czech Coke Respondents and the Accused Czech Foundry Coke infringe additional claims of the '915 patent.

51. On information and belief, under 35 U.S.C. § 271(b), the Proposed Czech Coke Respondents have induced, and continue to induce, others to directly infringe the Asserted Patent. On information and belief, the Proposed Czech Coke Respondents have been aware of the Asserted Patent or have acted with willful blindness as to its existence since at least the filing of the initial Complaint in this Investigation and this First Amended Complaint. On information and belief, the

Proposed Czech Coke Respondents act in concert with distributors and resellers who, upon importation of the Accused Czech Foundry Coke, make directly infringing offers for sale and sales of such foundry coke to downstream customers, including foundries. Moreover, on information and belief, the Proposed Czech Coke Respondents have taken active steps to encourage and facilitate the directly infringing use of the Accused Czech Foundry Coke by downstream customers, including foundries. As discussed, foundry coke is used by foundries in metalcasting applications to serve a wide range of industries. Further, on information and belief, the Proposed Czech Coke Respondents manufacture the Accused Czech Foundry Coke according to specifications provided by downstream distributors, resellers, and/or foundries. On information and belief, the Proposed Czech Coke Respondents knew or should have known that use of the Accused Czech Foundry Coke in this manner would result in direct infringement of the Asserted Patent and intended to cause those acts which constitute that direct infringement.

52. On information and belief, under 35 U.S.C. § 271(c), the Proposed Czech Coke Respondents have contributorily infringed, and continue to contributorily infringe, the Asserted Patent by contributing to the direct infringement of others, including downstream distributors and resellers who make directly infringing offers for sales and sales of imported Accused Czech Foundry Coke and further downstream customers, including foundries, who use such foundry coke in a directly infringing manner. On information and belief, the Proposed Czech Coke Respondents have been aware of the Asserted Patent or have acted with willful blindness as to its existence since at least the filing of the initial Complaint in this Investigation and this First Amended Complaint. The Accused Czech Foundry Coke embodies a material part of the claimed inventions, is especially made or especially adapted for use in an infringing manner, and is not a staple article or commodity suitable for substantial noninfringing use.

B. Proposed Italiana Coke Respondents

53. The Proposed Italiana Coke Respondents import into the United States, sell for importation into the United States, and/or sell within the United States after importation the Accused Italiana Foundry Coke, which infringes the Asserted Patent under 35 U.S.C. § 271(a), either literally or under the doctrine of equivalents. These activities by the Proposed Italiana Coke Respondents constitute a violation of Section 337.

54. The Accused Italiana Foundry Coke infringes at least claims **1**, **3–4**, **5**, and **7–13** of the '915 patent (independent claims bolded). The Accused Italiana Foundry Coke has been tested to confirm that it has the claimed properties as set forth in Exhibit 11. All testing was performed according to ASTM International Standards. . A claim chart comparing the Accused Italiana Foundry Coke to these claims based on exemplary evidence is attached as Exhibit 8. Further discovery may reveal that the Proposed Italiana Coke Respondents and the Accused Italiana Foundry Coke infringe additional claims of the '915 patent.

55. On information and belief, under 35 U.S.C. § 271(b), the Proposed Italiana Coke Respondents have induced, and continue to induce, others to directly infringe the Asserted Patent. On information and belief, the Proposed Italiana Coke Respondents have been aware of the Asserted Patent or have acted with willful blindness as to its existence since at least the filing of the initial Complaint in this Investigation and this First Amended Complaint. On information and belief, the Proposed Italiana Coke Respondents act in concert with distributors and resellers who, upon importation of the Accused Italiana Foundry Coke, make directly infringing offers for sale and sales of such foundry coke to downstream customers, including foundries. Moreover, on information and belief, the Proposed Italiana Coke Respondents have taken active steps to encourage and facilitate the directly infringing use of the Accused Italiana Foundry Coke by downstream customers, including foundries. As discussed, foundry coke is used in metalcasting

applications to serve a wide range of industries. Further, on information and belief, the Proposed Italiana Coke Respondents manufacture the Accused Italiana Foundry Coke according to specifications provided by downstream distributors, resellers, and foundries. On information and belief, the Proposed Italiana Coke Respondents knew or should have known that use of the Accused Italiana Foundry Coke in this manner would result in direct infringement of the Asserted Patent and intended to cause those acts which constitute that direct infringement.

56. On information and belief, under 35 U.S.C. § 271(c), the Proposed Italiana Coke Respondents have contributorily infringed, and continue to contributorily infringe, the Asserted Patent by contributing to the direct infringement of others, including downstream distributors and resellers who make directly infringing offers for sales and sales of imported Accused Italiana Foundry Coke and further downstream customers, including foundries, who use such foundry coke in a directly infringing manner. On information and belief, the Proposed Italiana Coke Respondents have been aware of the Asserted Patent or have acted with willful blindness as to its existence since at least the filing of the initial Complaint in this Investigation and this First Amended Complaint. The Accused Italiana Foundry Coke embodies a material part of the claimed inventions, is especially made or especially adapted for use in an infringing manner, and is not a staple article or commodity suitable for substantial noninfringing use.

VI. SPECIFIC INSTANCES OF UNFAIR IMPORTATION AND SALE

A. Proposed Czech Coke Respondents

57. The Proposed Czech Coke Respondents, either themselves or through subsidiaries or third parties acting on their behalf, are engaged in the importation, sale for importation, and/or sale after importation into the United States of Accused Czech Foundry Coke, which infringes the Asserted Patent.

58. The Proposed Czech Coke Respondents manufacture the Accused Czech Foundry Coke overseas. On information and belief, OKK Koksovny, a.s. manufactures the Accused Czech Foundry Coke at its Svoboda Plant in Ostrava-Přívov, Czech Republic, on behalf of and for the benefit of MTX Group to which the Proposed Czech Coke Respondents belong. *See* Ex. 19 at 8–9, 56 (explaining OKK is a producer of foundry coke for MTX Group); Ex. 25 (explaining OKK manufactures coke at its Svoboda plant); *see also* Ex. 21 (“Our basic activity is production of coke....”); Ex. 22 (explaining OKK is a producer of foundry coke).

59. The Proposed Czech Coke Respondents sell for importation into the United States and/or sell within the United States after importation the Accused Czech Foundry Coke. On information and belief, such sales are carried out by METALIMEX a.s. and/or METALIMEX Deutschland GmbH on behalf of and for the benefit of the MTX Group to which the Proposed Czech Coke Respondents belong. *See* Ex. 26 (“Coke sales are provided by METALIMEX a.s.”); Ex. 27 at 2 (explaining METALIMEX a.s. and METALIMEX Deutschland GmbH sell foundry coke produced by OKK).

60. The Proposed Czech Coke Respondents import the Accused Czech Foundry Coke into the United States. On information and belief, such importation is arranged by METALIMEX a.s. and/or METALIMEX Deutschland GmbH and the logistics are managed by AMEX Coal Sp. z o.o. on behalf of and for the benefit of the MTX Group to which the Proposed Czech Coke Respondents belong. *See* Ex. 19 at 8–9 (explaining AMEX provides services on behalf of MTX Group including “importing, exporting, and storing of coke”); Ex. 28 at 1 (similar); Ex. 20 (explaining METALIMEX “provide[s] comprehensive solutions...from securing raw materials...to optimized logistics”).

61. On information and belief, the Proposed Czech Coke Respondents have imported at least the following shipments of Accused Czech Foundry Coke into the United States (*see* Exhibit 43):

Date	Bill of Lading No.	Declared Shipper	Country of Origin	Gross Weight (kg)
Sept. 5, 2026	FALH6BFGDTLBP001	METALIMEX a.s.	Poland	10,450,000
Mar. 27, 2026	ULTH260303000301	METALIMEX a.s.	Czech Republic	10,000,000
Nov. 2, 2025	FALH5B9GDBHBP002	METALIMEX a.s.	Czech Republic	4,167,000
Nov. 2, 2025	FALH5B9GDBHBP001	METALIMEX a.s.	Czech Republic	8,800,000
Aug. 15, 2025	FALH5BPGDBHSP002	METALIMEX a.s.	Czech Republic	4,200,000
Aug. 15, 2025	FALH5BPGDBHSP001	METALIMEX a.s.	Czech Republic	16,090,000

B. Proposed Italiana Coke Respondents

62. The Proposed Italiana Coke Respondents, either themselves or through subsidiaries or third parties acting on their behalf, are engaged in the importation, sale for importation, and/or sale after importation into the United States of Accused Italiana Foundry Coke, which infringes the Asserted Patent.

63. The Proposed Italiana Coke Respondents manufacture the Accused Italiana Foundry Coke overseas. On information and belief, Italiana Coke manufactures the Accused Italiana Foundry Coke at its production facility in Cairo Montenotte, on behalf of and for the benefit of Italiana Coke Group to which the Proposed Italiana Coke Respondents belong. *See* Ex. 31 (describing Italiana Coke’s acquisition of the Cairo Montenotte facility); *see also* Ex. 32 (explaining “[w]e directly follow the entire logistics chain of raw materials, from the loading ports to the unloading operations”).

64. The Proposed Italiana Coke Respondents sell for importation into the United States and/or sell within the United States after importation the Accused Italiana Foundry Coke. On information and belief, such sales are carried out by Italiana Coke on behalf of and for the benefit of the Italiana Coke Group to which the Proposed Italiana Coke Respondents belong. *See* Ex. 33 (explaining that Italiana Coke exported approximately 250,000 tonnes of coke to various destinations, and identifying “the United States” as a “main non-European destination”).

65. The Proposed Italiana Coke Respondents import the Accused Italiana Foundry Coke into the United States. On information and belief, such importation is arranged by Italiana Coke, and the logistics are managed by TAFS on behalf of and for the benefit of the Italiana Coke Group to which the Proposed Italiana Coke Respondents belong. *See* Ex. 37 (“Raw materials and finished products logistics managed by Terminal Alti Fondali Savona, who belongs to the Italian Coke group. TAFS provides loading, unloading, transportation and storage of goods both to the plant and final customers.”); *see also* Ex. 33 (explaining that Italiana Coke exported approximately 250,000 tonnes of coke to various destinations, explaining that “Italiana Coke can...reach...American markets,” and specifically identifying “the United States” as a “main non-European destination”).

66. On information and belief, the Proposed Italiana Coke Respondents have imported at least the following shipments of Accused Italiana Foundry Coke into the United States (*see* Exhibit 44):

Date	Bill of Lading No.	Declared Shipper	Country of Origin	Gross Weight (kg)
Sept. 1, 2026	ULTH261361000101	Not Declared	Italy	7,699,240
Apr. 14, 2026	ULTH253141000101	Italiana Coke S.r.l.	Italy	7,693,054
Feb. 11, 2026	ULTH252825000005	Not Declared	Italy	7,023,311
Sept. 1, 2025	ULTH251814SAV001	Not Declared	Italy	7,699,782

VII. HARMONIZED TARIFF SCHEDULE INFORMATION

67. On information and belief, the Harmonized Tariff Schedule of the United States item numbers under which certain infringing foundry coke products, including the Accused Czech Foundry Coke and the Accused Italiana Foundry Coke, may be imported into the United States include at least HTSUS 2704.00.00.11 and 2704.00.00.25. These classifications are intended for illustration only and are not intended to be restrictive of the accused products or of products subject to the relief requested.

VIII. THE DOMESTIC INDUSTRY

68. As required by Section 337(a)(2) and defined by Section 337(a)(3), a domestic industry exists in connection with SunCoke's foundry coke manufactured at the Jewell facility, which practices one or more claims of the Asserted Patent. Such foundry coke, referenced herein as "SunCoke Foundry Coke," comprises articles protected by the Asserted Patent. SunCoke has made significant investments in plant and equipment, employed significant labor and capital, and made substantial investments in the exploitation of the Asserted Patent in the United States through its research, development, engineering, testing, manufacture, marketing, sale, and distribution of SunCoke Foundry Coke.

A. The Technical Prong

69. SunCoke has made and continues to make extensive use of the inventions claimed in the Asserted Patent through its past and ongoing development, manufacture, and sale of SunCoke Foundry Coke at its Jewell facility.

70. SunCoke Foundry Coke has been tested to confirm that it practices at least claims 1–4, 5–6, and 7–13 of the '915 patent (independent claims bolded). All testing was performed according to ASTM International Standards. Conf. Ex. 15C ¶ 33. A claim chart comparing

SunCoke Foundry Coke to these claims based on exemplary evidence is attached as Confidential Exhibit 13C.

B. The Economic Prong

71. SunCoke's investments in its domestic industry relating to SunCoke Foundry Coke are substantial and ongoing. As discussed above, beginning in 2019, SunCoke repurposed its Jewell facility in Virginia, committing substantial resources to convert, equip, staff, test, and expand the facility for production of SunCoke Foundry Coke. These investments establish a domestic industry because they constitute significant investment in plant and equipment under Section 337(a)(3)(A), significant employment of labor or capital under Section 337(a)(3)(B), and substantial investment in engineering, research and development under Section 337(a)(3)(C), and the investments were made with respect to articles protected by the Asserted Patent.

72. The above investments were principally made by Complainant Jewell, a SunCoke entity related to Complainant SunCoke T&D, which owns the Asserted Patent. Ex. 3. The applications that resulted in the Asserted Patent were filed and prosecuted with Jewell's operations in mind and to allow Jewell to exploit the underlying inventions. At all relevant times, Jewell has operated with SunCoke T&D's authorization, initially under an implied license that was later memorialized in the agreement attached as Confidential Exhibit 16C. Conf. Ex. 15C ¶ 14. Jewell's investments thus are properly cognizable under the economic prong. *See Certain Beverage Dispensing Sys. & Components Thereof*, Inv. No. 337-TA-1130, Comm'n Op., 2020 WL 8675357, at *22–*24, *122 n.65 (June 3, 2020) (USITC Pub. No. 5083) (affirming ALJ's determination that economic prong was satisfied by investments made by domestic industry, with ALJ explaining that "[t]he Commission has held that 'the domestic industry inquiry under Section 337 is not limited to the activities of the patent holder, but also involve[s] the activities of any licensees.'" (citations omitted)); *Certain Wearable Monitoring Devices, Systems & Components Thereof*, Inv.

No. 337-TA-1190, Order No. 34, 2020 WL 6591309, at *18 (Oct. 1, 2020) (“Commission precedent indicates that domestic operations need not be carried out by the patent holder to qualify for consideration under the economic prong, so long as the operations are authorized by the patent holder. Thus, a patent holder is not limited to its own investments but may rely upon investments by related entities, even absent a license” (citations omitted)); *see also Certain Magnetic Tape Cartridges & Components Thereof*, Inv. No. 337-TA-1058, Comm’n Opinion, 2019 WL 2635509, at *27 (Apr. 9, 2019).

73. Further, to the extent that any investments in plant and equipment or labor and capital identified herein preceded the issuance of the Asserted Patent, those investments are cognizable under Sections 337(a)(3)(A) and 337(a)(3)(B), respectively, because they led to the development and ultimately the manufacture and sale of SunCoke Foundry Coke and thus were “made with respect to the articles protected by the [Asserted Patent].” *Certain Oil Vaporizing Devices, Components Thereof, and Products Containing the Same*, Inv. No. 337-TA-1392, Comm’n Opinion, 2026 WL 357731, at *4 (Feb. 3, 2026); *see also Apple v. Int’l Trade Comm’n*, 169 F.4th 1363, 1378–79 (Fed. Cir. 2026) (affirming Commission determination that even investments in non-practicing products in lead up to development of practicing product were made “‘with respect to’ the patent protected articles” and properly cognizable (citations omitted)).

1. Investment in Plants and Equipment

74. SunCoke has made, and continues to make, significant investments in plant and equipment in the United States with respect to the patented technology and articles protected by the Asserted Patent. Conf. Ex. 15C ¶ 15. The Jewell facility is located on approximately 900 acres of land in Vansant/Oakwood (Buchanan County), Virginia. *Id.* ¶ 16. The facility includes 142 cokemaking ovens, offices, warehouses, and support buildings. *Id.* It originally produced no foundry coke, but beginning in 2019 and recognizing a critical domestic need for foundry coke,

SunCoke made substantial investments toward plant and equipment to repurpose the facility to produce foundry coke protected by the Asserted Patent. *Id.* ¶ 17.

75. Confidential Exhibit 15C (at ¶ 18) details the substantial investments that SunCoke has made toward capital projects to establish plant and equipment supporting the manufacture of foundry coke protected by the Asserted Patent. These investments include both investments in projects specific to foundry coke and the allocatable portion of investments in other projects that were not specific to foundry coke but supported foundry-coke operations. The latter was allocated based on the percentage of coal carbon used to produce foundry coke in relation to other coke at the Jewell facility. Because the production of foundry coke is more operationally involved, the identified attributable capital investments are likely underestimates.

76. Major capital projects specific to foundry coke included investing in a rod mill, which is used to make coke breeze that is then added to a coal blend to make foundry coke with the size and properties claimed in the Asserted Patent. Conf. Ex. 15C ¶ 19. SunCoke also built a screening plant to sort coke by size, including separating the >4-inch foundry-grade product at issue in this investigation. *Id.* And SunCoke invested in oven rebuilds to optimize coking parameters such as Coke Reactivity Index. *Id.* Other foundry-specific capital projects included a truck load-out facility, a coal dryer bypass, a foundry-coke laboratory for testing claimed coke quality properties, a blending belt for the coal blending process, and a laboratory plastometer for coal blend analysis. *Id.*

77. Confidential Exhibit 15C (at ¶ 21) details, for each year since 2019, the sales volume of foundry coke produced at the Jewell facility, the revenue from that foundry coke, and the percentage of that revenue in relation to the total revenue from all coke produced at the Jewell facility. Through SunCoke's significant investments, the Jewell facility went from producing zero

foundry coke in 2019 to a substantial output of foundry coke in 2025. *Id.* ¶ 22. As noted, the Jewell facility now produces and supplies nearly one-third of the foundry coke used in the United States. *Id.* ¶ 20. And the Jewell facility has significant additional capacity to produce foundry coke and to meet the domestic demand for the foundry-coke products at issue in this investigation. *Id.* ¶ 22.

2. Investment in Labor and Capital

78. SunCoke has made, and continues to make, significant investments in labor and capital in the United States with respect to the patented technology and articles protected by the Asserted Patent. Conf. Ex. 15C ¶ 23. For example, SunCoke employs personnel throughout the United States, including at the Jewell facility and in Illinois, who are engaged in activities relating to the patented technology and foundry coke practicing the Asserted Patent. *Id.* ¶ 24. Among other personnel, engineers and process developers optimize coal-blend formulations and oven operating parameters to produce foundry coke having properties as claimed in the Asserted Patent, including Coke Reactivity Index (CRI) and fixed carbon content. *Id.* Quality assurance personnel test each production batch for compliance with claimed specifications such as CRI, sulfur content, and size requirements. *Id.* Manufacturing and operations staff operate the ovens, manage coking cycles, and run the rod mills and screening plants that produce the oblong-shaped, >4-inch foundry coke. *Id.* Maintenance personnel service the specialized foundry-coke equipment, including the rod mills, screening plant, and rebuilt ovens. *Id.*

79. Confidential Exhibit 15C (at ¶ 25) details, for each year since 2019, the total headcount and total payroll and benefits at the Jewell facility and a conservative estimate of the percentage of the headcount and percentage of the payroll and benefits attributable to foundry coke protected by the Asserted Patent. The attributable percentages were calculated based on the percentage of coal carbon used to produce foundry coke produced in relation to other coke at the Jewell facility. *Id.* Because the production of foundry coke is more operationally involved than

other coke, the identified attributable headcounts and attributable payroll and benefits are likely underestimates. *Id.*

80. SunCoke also has made substantial investments in capital to support the development and production of foundry coke protected by the Asserted Patent. Conf. Ex. 15C ¶ 26. These investments include capital investments toward plant and equipment, as described above, as well as expenses relating to plant operations, rent, facilities maintenance, utilities, and equipment maintenance. *Id.*

81. Confidential Exhibit 15C (at ¶ 27) details, for each year since 2019, the total such investments in capital at the Jewell facility and a conservative estimate of the portion of such investments that are attributable to foundry coke protected by the Asserted Patent. The investments identified as attributable to foundry coke include both investments specific to foundry coke and the allocated portion of other investments not specific to foundry coke but that still benefited the Jewell facility's foundry-coke operations. *Id.* The latter was allocated based on the percentage of coal carbon used to produce foundry coke in relation to other coke at the Jewell facility. *Id.* Because the production of foundry coke is more operationally involved than other coke, the identified attributable investments are likely underestimates. *Id.* After SunCoke scaled its production, SunCoke's investments in capital with respect to the patented technology and foundry coke protected by the Asserted Patent have been substantial both in volume and as a percentage of SunCoke's total investments in capital at the Jewell facility. *Id.*

3. Investment in Exploitation, Including Engineering, Research and Development

82. SunCoke also has made, and continues to make, significant investments in the United States in the exploitation of the patented technology and articles protected by the Asserted Patent, including engineering, research and development ("R&D"), and other investments.

SunCoke's foundry-coke R&D program began in 2018 with a literature review and preparatory work. Actual plant testing at the Jewell facility began in 2019. Conf. Ex. 15C ¶ 30. In 2020, SunCoke constructed the first rod mill and truck load-out and began construction of a second, larger rod mill, which was completed in 2021. *Id.* SunCoke also rebuilt ovens in 2020 and 2021 to support foundry-coke production. *Id.* These R&D activities were directed at developing the specific coal blends, sizing processes, and oven operating parameters used to produce foundry coke practicing the Asserted Patent. *Id.* The R&D program also targeted the specific properties of the claimed foundry-coke products, including their oblong shape, size specifications, and coke reactivity. *Id.*

83. Confidential Exhibit 15C (at ¶ 31) details, for each year since 2019, SunCoke's U.S. investments in R&D related to foundry coke protected by the Asserted Patent and the percentage of such investments in relation to total investments in R&D. The identified figures are underestimates and do not include, for example, SunCoke's investments in applying for, prosecuting, and obtaining the Asserted Patent. *Id.*; *see also* Ex. 5; Ex. 38 at 2; Ex. 41 at 24. Since 2019, SunCoke's investments in R&D with respect to the patented technology and foundry coke protected by the Asserted Patent have been substantial both in volume and as a percentage of SunCoke's total investments in R&D. Conf. Ex. 15C ¶ 32.

IX. RELATED LITIGATION

84. As of the filing of this First Amended Complaint, the Asserted Patent and the unfair methods of competition and unfair acts alleged herein are not and have not been the subject of any court or agency litigation, or of any arbitration.

X. RELIEF REQUESTED

85. WHEREFORE, by reason of the foregoing, SunCoke respectfully requests that the Commission:

a. Institute an immediate investigation pursuant to Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. §§ 1337(a)(1)(B) and (b)(1), with respect to violations of Section 337 based upon the importation, sale for importation, and/or sale after importation into the United States by the Proposed Respondents of certain foundry coke products that infringe the Asserted Patent.

b. Find a violation of Section 337 based on said unlawful acts;

c. Issue a permanent limited exclusion order under 19 U.S.C. § 1337(d)(1) barring from entry into the United States of certain foundry coke products that infringe the Asserted Patent manufactured by or on behalf of, or imported by or on behalf of, each of the Proposed Respondents or their affiliates;

d. Issue permanent cease-and-desist orders against each named Proposed Respondent under 19 U.S.C. § 1337(f), prohibiting the importing, selling, selling for importation, offering for sale, using, demonstrating, promoting, marketing, and/or advertising in the United States of certain foundry coke products that infringe the Asserted Patent;

e. Impose a bond upon the Proposed Respondents during the 60-day Presidential review period pursuant to 19 U.S.C. § 1337(j); and

f. Grant such other and further relief as the Commission deems just and proper based on the facts determined by the investigation and the authority of the Commission.

Dated: October 12, 2026

Respectfully submitted,

/s/ Hari Santhanam

Hari Santhanam

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L.P.*

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document has been served on October 12, 2026, as indicated, on the following:

The Honorable Lisa R. Barton Secretary to the Commission U.S. International Trade Commission 500 E. Street, S.W., Room 112A Washington, DC 20436	☐ First Class Mail ☐ Overnight Delivery ☒ EDIS ☐ Email
The Honorable Monica Bhattacharyya U.S. International Trade Commission 500 E Street, S.W., Room 317 Washington, D.C. 20436	☐ First Class Mail ☐ Overnight Delivery ☒ EDIS ☒ Email
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