UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

K-2 CORPORATION, an Indiana corporation,
19215 Vashon Highway SW
Vashon, WA 98070
Plaintiff,
v.

GOODWELL INTERNATIONAL LIMITED, a Virgin Islands (Br.) Limited Company

NEIL PRYDE LIMITED, a Hong Kong corporation

Defendants.

Civil Action No.: 05cv01426

PLAINTIFF'S RESPONSE TO THE COURT'S ORDER TO SHOW CAUSE

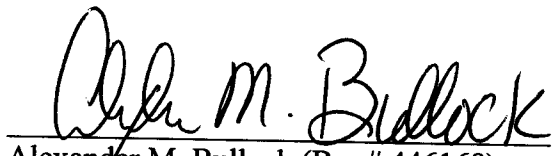
Plaintiff K-2 Corporation ("Plaintiff") hereby responds to the Court's December 21, 2006, Order directing Plaintiff to show cause why the complaint should not be dismissed for want of prosecution.

Plaintiff respectfully submits that, on the same day as and several hours before receiving notice of the Court's Order, the undersigned counsel had filed the "Notice of Filing of Return of Service" of the Summons and Complaint with the Clerk of Court's office. (A copy of this filing, including the receipt from the Clerk's Office, is attached as Exhibit A to this response. Copies of the emails regarding the filings are attached as Exhibit B.) Counsel for the respective parties had agreed previously that counsel for the defendants Goodwell International Limited and Neil Pryde Limited would accept service on behalf of both defendants.

Undersigned counsel respectfully requests that the Court accept his apologies for any inconvenience that the delay in filing the response that necessitated this procedure has caused.

WHEREFORE, Plaintiff respectfully requests that this matter remain on the Court's active trial docket.

Respectfully submitted,



Alexander M. Bullock (Bar # 446168)
KILPATRICK STOCKTON, LLP
607 14th Street, NW, Suite 900
Washington, DC 20037
Telephone: (202) 824-1416
Facsimile: (202) 585-0065
E-Mail: abullock@kilpatrickstockton.com

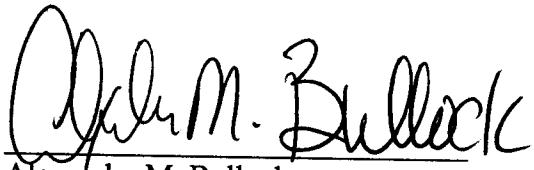
January 4, 2006

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 4th day of January, 2006, I caused to be served a true and correct copy of the foregoing Notice of Filing of Return of Service by U. S. Mail and electronic mail addressed to the following:

John E. Gartman, Esq.
Fish & Richardson, P.C.
12390 El Camino Real
San Diego, CA 92130

Counsel for Goodwell International, Limited
and Neil Pryde Ltd.



Alexander M. Bullock

Exhibit A

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

K-2 CORPORATION, an Indiana corporation,
19215 Vashon Highway SW
Vashon, WA 98070
Plaintiff,
v.

GOODWELL INTERNATIONAL LIMITED, a Virgin Islands (Br.) Limited Company

NEIL PRYDE LIMITED, a Hong Kong corporation

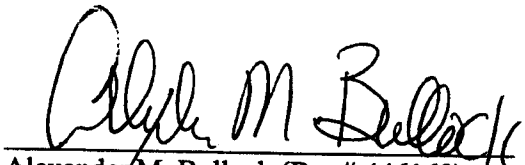
Defendants.

Civil Action No.: 05cv01426

NOTICE OF FILING OF RETURN OF SERVICE

Please take notice that the Plaintiff K-2 Corporation hereby submits Notice of Filing of Return of Service of the Summons and Complaint upon the Defendants Goodwell International, Limited, and Neil Pryde Limited. Counsel has agreed to accept service on behalf of both defendants. Copies of the correspondence confirming this agreement are attached to this Notice. (Ex. 1). In addition to this correspondence, K-2 Corporation hereby submits the Return of Service form for both defendants. (Ex. 2).

Respectfully submitted,



Alexander M. Bullock (Bar # 446168)
KILPATRICK STOCKTON, LLP
607 14th Street, NW, Suite 900
Washington, DC 20037
Telephone: (202) 824-1416
Facsimile: (202) 585-0065
E-Mail: abullock@kilpatrickstockton.com

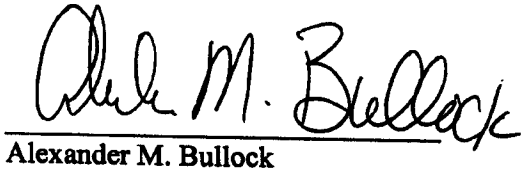
December 21, 2005

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 21st day of December, 2005, I caused to be served a true and correct copy of the foregoing Notice of Filing of Return of Service by U. S. Mail and electronic mail addressed to the following:

John E. Gartman, Esq.
Fish & Richardson, P.C.
12390 El Camino Real
San Diego, CA 92130

Counsel for Goodwell International, Limited
and Neil Pryde Ltd.



Alexander M. Bullock

Exhibit 1

FISH & RICHARDSON P.C.

12390 El Camino Real
San Diego, California
92130

Telephone
858 678-5070

Facsimile
858 678-5099

Web Site
www.fr.com

Frederick P. Fish
1855-1930

W.K. Richardson
1859-1951

VIA FACSIMILE & U.S. MAIL

October 31, 2005

Jerald E. Nagae, Esq.
Christensen O'Connor Johnson & Kindness
1420 5th Avenue, Ste. 2800
Seattle, Washington 98101

Re: K-2 Corporation v. Goodwell International Limited, et al.
USDC District of Columbia Court No: 05-cv-01426 RBW

Dear Mr. Nagae:

This confirms our conversation earlier today.

You had called me last week to discuss whether I would accept service of the complaint on behalf of Goodwell International Limited and Neil Pryde Limited, putting aside the required service formalities of the Hague Convention.

I said I would accept service in exchange for an extension of time to answer or otherwise respond to the complaint. You agreed to extend defendants' response to 60 days from service of the complaint.

Please give me a call if this does not accurately reflect our agreement.

Sincerely,

John E. Gartman

JEG/cjc

10566341.doc

AUSTIN
BOSTON
DALLAS
DELAWARE
NEW YORK
SAN DIEGO
SILICON VALLEY
TWIN CITIES
WASHINGTON, DC

CHRISTENSEN O'CONNOR JOHNSON KINDNESS PLLC

Law Off

Intellectual Property Law
and Related Litigation

1420 Fifth Avenue, Suite 2800
Seattle, Washington 98101-2347

206.682.8100 *phone*
206.224.0779 *fax*
www.cojk.com

November 2, 2005

VIA FEDERAL EXPRESS

John E. Gartman, Esq.
Fish & Richardson P.C.
12390 El Camino Real
San Diego, CA 92130

Re: *K2 Corp v. Neil Pryde Ltd & Goodwell Intl Ltd.*
USDC Western District of Washington
Case No. 05cv01426
Our Reference: KCOS-6-2730

Dear Mr. Gartman:

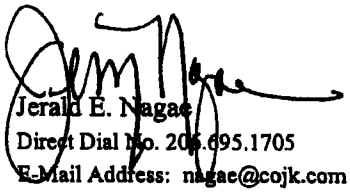
Pursuant to our discussion and your letter of October 31, 2005 indicating you would accept service on behalf of Goodwell International Limited and Neil Pryde Limited, enclosed please find the following:

1. Original Summons to Goodwell International;
2. Original Summons to Neil Pryde Limited;
3. Complaint for Declaratory Judgment of Non-Infringement of Patent;
4. Certificate Rule LCvR 7.1; and
5. Report on the Filing or Determination of an Action Regarding a Patent or Trademark.

As agreed, your clients will have 60 days from your receipt of the above documents to respond to the complaint.

Please include our above-referenced file number in all correspondence regarding this matter.

Very truly yours,
CHRISTENSEN O'CONNOR
JOHNSON KINDNESS PLLC



Jerald E. Nagae
Direct Dial No. 206.695.1705
E-Mail Address: nagae@cojk.com

JEN:jlb

Enclosures:
As Noted

cc: Julie VanDerZanden, Esq.
W. David Shenk, Esq. (w/out encls.)

Exhibit 2

AO 440 (Rev. DC - September 2003) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me(1)	DATE November 2, 2005
NAME OF SERVER (PRINT) Jerald E. Nagae	TITLE

Check one box below to indicate appropriate method of service

G Served personally upon the defendant. Place where served: _____

G Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: _____

G Returned unexecuted: _____

G Other (specify): Defendant Neil Pryde, Ltd. agreed to accept service through its counsel, John E. Gartman, Esq.

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 12/20/05 (Date) _____ (Signature of Server)

1920 5th Ave, Seattle, WA 98101 (Address of Server)

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

AO 440 (Rev. DC - September 2003) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me(1)	DATE November 2, 2005
NAME OF SERVER (PRINT) Jerald E. Nagae	TITLE

Check one box below to indicate appropriate method of service

G Served personally upon the defendant. Place where served: _____

G Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: _____

G Returned unexecuted: _____

G Other (specify): Defendant Goodwell International Limited agreed to accept service through its counsel, John E. Gartman, Esq.

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 12/20/05 (Date) _____ (Signature of Server)

1420 - 5th Ave, Suite 2200
Seattle WA 98101
(Address of Server)

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

Exhibit B

Bullock, Alex

From: Bullock, Alex
Sent: Wednesday, December 21, 2005 4:13 PM
To: 'dcd_cmecf@dcd.uscourts.gov'
Subject: 05cv01426-RBW Notice of Filing of Return of Service

Attached to this e-mail, please find a PDF of the above referenced matter. I am filing the return of service in this format at the recommendation of Judge Walton's docket clerk so I was hesitant to use ECF in any other manner. To the extent that I need to file the pleading in some other way, please let me know and I will be glad to do so. Thank you for your assistance in this matter.

Alex Bullock (Bar # 446168)

(202) 824-1416

KILPATRICK STOCKTON LLP
Attorneys at Law

Alexander M. Bullock
Kilpatrick Stockton LLP
Suite 900
607 14th Street, NW
Washington, DC 20005-2018
t 202 824 1416
f 202 585 0065
c 202 255 7377

Confidentiality Notice:
This communication constitutes an electronic communication within the meaning of the Electronic Communications Privacy Act, 18 U.S.C. Section 2510, and its disclosure is strictly limited to the recipient intended by the sender of this message. This transmission, and any attachments, may contain confidential attorney-client privileged information and attorney work product. If you are not the intended recipient, any disclosure, copying, distribution or use of any of the information contained in or attached to this transmission is STRICTLY PROHIBITED. Please contact us immediately by return e-mail or at 202 508 5800, and destroy the original transmission and its attachments without reading or saving in any manner.

Bullock, Alex

From: DCD_ECFNotice@dcd.uscourts.gov
Sent: Wednesday, December 21, 2005 5:27 PM
To: DCD_ECFNotice@dcd.uscourts.gov
Subject: Activity in Case 1:05-cv-01426-RBW K-2 CORPORATION v. GOODWELL INTERNATIONAL LIMITED et al "Order"

*****NOTE TO PUBLIC ACCESS USERS*** You may view the filed documents once without charge. To avoid later charges, download a copy of each document during this first viewing.**

U.S. District Court

District of Columbia

Notice of Electronic Filing

The following transaction was received from lcrbw1, entered on 12/21/2005 at 5:26 PM EDT and filed on 12/21/2005

Case Name: K-2 CORPORATION v. GOODWELL INTERNATIONAL LIMITED et al
Case Number: 1:05-cv-1426
Filer:
Document Number: 4

Docket Text:
ORDER to show cause. Signed by Judge Reggie B. Walton on 12/21/05. (lcrbw1,)

The following document(s) are associated with this transaction:

Document description: Main Document
Original filename:O:\Brad's Cases\Cases by Name\K-2 Corp v. Goodwell Int'l\ShowCauseOrder.pdf
Electronic document Stamp:
[STAMP dcecfStamp_ID=973800458 [Date=12/21/2005] [FileNumber=976195-0]
[67b51614148cbbf014fb7061af558473091a71418a91c275f7bebae3eff77618bc32
f66a98c81b91ecffaaa658888071e04091719f3bfa0bae299a07b10a7f3e]]

1:05-cv-1426 Notice will be electronically mailed to:

Alexander McMillian Bullock abullock@kilpatrickstockton.com,

1:05-cv-1426 Notice will be delivered by other means to: