



ADVERSARY INTELLIGENCE DOSSIER

WITH ADVERSARY PLAYBOOKS AND ARMOR-CHINK ANALYSIS

Ridley USA Inc. v. DWD Ventures LLC d/b/a LYX Hydration

Case No. 4:26-cv-00854 · U.S. District Court, Northern District of Texas, Fort Worth Division

Hon. Mark T. Pittman · Filed July 13, 2026 · 15 U.S.C. § 1114 Trademark Infringement

Prepared by KNOX · August 7, 2026

Second-Pass Deep Analysis · Errs Deliberately on the Side of Over-Analysis

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I. Executive Summary and Bottom Line

Ridley USA Inc., the Alltech-owned livestock-nutrition company behind the CRYSTALYX lick-block franchise, has sued DWD Ventures LLC, the Fort Worth company behind the venture-backed canine electrolyte brand LYX Hydration, for federal trademark infringement under 15 U.S.C. § 1114. The suit is the escalation of a Trademark Trial and Appeal Board opposition Ridley filed in July 2025 against DWD's application to register LYX for "beverages for canines; electrolyte drink mix for pets." DWD, through founder Dylan Jones acting without counsel, resisted that opposition for a full year. Three days after filing this lawsuit, Ridley moved to suspend the TTAB case pending the civil action, and the Board suspended it on July 17, 2026.

The structural read is unambiguous: this is a **fence-building squeeze play**. Ridley's nineteen-proceeding TTAB enforcement record shows a company that polices cheaply, by extension requests and oppositions that pressure smaller applicants into abandonment, and that almost never litigates in federal court. When DWD refused to fold, Ridley changed the game to a forum where an LLC is legally barred from appearing without a licensed attorney, where money damages and attorneys' fees enter the equation, and where a missed deadline produces a default judgment. The most important sentence in this document is this one: **DWD's answer or Rule 12 response is due August 19, 2026, and only a licensed attorney can file it.**

The second-pass investigation detailed in Section V found genuine, exploitable weaknesses in Ridley's position: Ridley owns no standalone LYX registration; its family-of-marks theory had to be repleaded at the TTAB after its original notice failed to properly assert it; the "-LYX" suffix traces to the descriptive concept of a livestock lick block and Ridley itself spells the suffix inconsistently (SWEETLIX); the pet-hydration field already contains the decades-old third-party brand LIXIT sold in mass retail without any evident confusion with CRYSTALYX; Ridley's corporate family is mid-restructuring through the February 2026 Akralos joint venture with ADM and at least one block of Ridley marks has already changed hands, putting chain-of-title on every pleaded registration legitimately in play; Ridley has never sold a companion-animal product in the LYX line's 47-year history; and when Ridley itself was accused of trademark infringement in 2018 by Ragland Mills, it capitulated to a with-prejudice resolution within four months rather than fight.

KNOX bottom line: Ridley's paper arsenal is real, but its case is built for an opponent who defaults or folds. Against competent counsel armed with the goods-gap, the crowded-field evidence, the family-of-marks pleading history, and the chain-of-title

audit, this becomes an expensive, uncertain case for a plaintiff whose entire history says it prefers cheap wins and quiet resolutions. The rational endgame is a fenced coexistence agreement that keeps LYX alive in the companion-animal category. The catastrophic scenario is a default. Everything in this dossier serves the twelve days between now and August 19.

II. The Case File: Docket, Posture, and Deadline

II.A. Case Identification

Field	Value
Caption	Ridley USA Inc. v. DWD Ventures LLC d/b/a "Lyx Hydration"
Case number	4:26-cv-00854 (PACER case ID 423080; CourtListener docket 73608313)
Court	U.S. District Court, Northern District of Texas, Fort Worth Division
Judge	Hon. Mark T. Pittman (case letter designation P)
Nature of suit	840 Property Rights – Trademark
Cause of action	15 U.S.C. § 1114 – infringement of federally registered trademarks
Jury demand	Yes – demanded by plaintiff Ridley in the complaint
Filed	July 13, 2026 (filing fee \$405 paid; receipt ATXNDC-16610444)
Served	July 15, 2026 (summons returned executed, Doc 10)
Response deadline	AUGUST 19, 2026 (Doc 14 order, Judge Pittman, Aug 4, 2026)
Plaintiff's counsel	David Lisch, Barnes & Thornburg LLP, 2121 N. Pearl St., Suite 700, Dallas, TX 75201
Defense counsel	NONE OF RECORD as of August 7, 2026

II.B. Complete Docket to Date

Date	Doc	Event
7/13/2026	1	Complaint with jury demand against DWD Ventures LLC d/b/a "Lyx Hydration," with Exhibits A through I plus civil cover sheet (ten attachments; the exhibits are consistent with registration certificates and marketplace evidence).
7/13/2026	2	Request for clerk to issue summons.
7/13/2026	3	Additional attachments to complaint.
7/13/2026	4	Notice: Declaration of David Lisch in support of the complaint (an attorney evidentiary declaration filed on day one – the filing kit was staged in advance).

Date	Doc	Event
7/13/2026	5	Notice of report on the filing of an action regarding a trademark (AO 120 predicate).
7/13/2026	6	Certificate of Interested Persons / Disclosure Statement by Ridley (clerk noted an affiliate entry – the Alltech ownership chain; see the chain-of-title chink in Section V).
7/14/2026	7	New case notes: fee paid; case to Judge Pittman; Dondi, Local Rules, Texas Lawyer's Creed, and judge-specific requirements invoked.
7/14/2026	8	AO 120 Report to USPTO emailed to notice_of_suit@uspto.gov.
7/14/2026	9	Summons issued as to DWD Ventures LLC.
7/21/2026	10	Summons returned executed; DWD served July 15, 2026.
7/29/2026	11	Pro se motion for extension of time to respond, filed by Dylan Jones. STRICKEN.
7/30/2026	12	Order striking and unfiled Doc 11 for failure to include a proposed order as required by Local Rule 7.1(c). One-day turnaround by the Court.
8/3/2026	13	Refiled: Unopposed Motion for Extension of Time to Retain Counsel and Respond to Complaint (Dylan Jones).
8/4/2026	14	ORDER granting Doc 13 IN PART: deadline to answer or otherwise respond is AUGUST 19, 2026.

II.C. What the Docket Tells Us

- **Ridley staged this filing.** Complaint, nine exhibits, an attorney declaration, USPTO notification, and a disclosure statement all landed within hours. This package was assembled well before July 13 and timed with the TTAB suspension motion filed three days later. Coordinated escalation, not an impulse.
- **DWD is unrepresented and improvising.** The struck motion, the refiled motion, and the phrase "to retain counsel" in the caption of Doc 13 all say the same thing: as of August 3, DWD had no lawyer. A limited liability company cannot appear pro se in federal court; Jones cannot sign DWD's answer.
- **Pittman granted the extension only in part.** Jones likely requested thirty days; he received roughly fifteen. The Court is being fair and fast at once. There will not be a second grace period.

- **Ridley did not oppose the extension.** Professional courtesy, Dondi compliance, and confidence. Note the mirror image in Section V: Ridley's own counsel knows Judge Pittman sanctioned an attorney for opposing a routine extension.

III. The Prequel: TTAB Opposition No. 91300524

The federal lawsuit cannot be understood without the year-long TTAB fight that preceded it. Ridley opposed DWD's LYX application on July 23, 2025. The prosecution history below is reconstructed from TTABVUE and from Ridley's own February 2026 motion to strike.

III.A. The Application Under Fire

Field	Value
Mark	LYX (standard characters, no stylization claimed)
Serial number	98707152
Applicant	DWD Ventures LLC, 3208 Collinsworth St., Fort Worth, TX 76107
Goods	"Beverages for canines; electrolyte drink mix for pets," International Class 31
Filing date / basis	August 20, 2024, intent-to-use (Section 1(b)); as of February 2026 no allegation of use had been filed, per Ridley's own motion
Filed through	Trademark Engine (budget online filing service) - no clearance counsel
Correspondence	Dylan Jones, dylan@lyxhydration.com, phone 808-439-5173
Status	Opposition pending; proceeding suspended 7/17/2026 pending the civil action

III.B. Full TTAB Prosecution History

Entry	Date	Event
1-3	7/23/2025	Notice of Opposition filed by Ridley (Caitlin Byczko, Barnes & Thornburg, Indianapolis); proceeding instituted; answer due 9/1/2025. Grounds: Section 2(d) likelihood of confusion with the LYX-formative marks and claimed common-law rights; CRYSTALYX use since 1977 asserted.
4	8/29/2025	DWD answers pro se, on time.
5-6	9/8-9/11/2025	DWD motion to extend (no consent) filed without proof of service; Board issues deficiency notice with instructions.

Entry	Date	Event
7-8	9/12- 9/17/2025	DWD refiles motion to extend; Ridley opposes, asking the Board to hold the discovery-conference deadline.
9-10	9/28- 11/16/2025	Board grants an extension anyway and orders a Board-led discovery conference, held October 28, 2025. At that conference the Board granted Ridley LEAVE TO AMEND its notice to properly replead ownership of a family of marks – a judicial signal that the original family pleading was inadequate.
11	11/25/2025	Ridley files amended notice of opposition (25 numbered paragraphs) repleading the LYX family-of-marks theory.
12	12/26/2025	DWD 30-day motion to extend answer deadline, without consent.
13-14	1/26- 1/28/2026	DWD files amended answer (grouped general responses, specific responses, and "amplifications of denials"); trial dates reset.
15-16	2/11/2026	Ridley moves to strike DWD's amended answer for failure to admit or deny paragraph-by-paragraph under TBMP 311.02(a); proceeding suspended pending the motion.
17-18	3/13- 4/16/2026	Proceedings resumed; DWD files a further answer.
19-20	7/16- 7/17/2026	Three days after suing in the NDTX, Ridley moves to suspend the TTAB case pending the civil action; Board suspends. Status: SUSPENDED.

III.C. What the TTAB Record Reveals

- **DWD fought alone for a year and did not fold.** Every filing on DWD's side was made by a non-lawyer founder juggling a growing company. He made procedural errors (service proofs, grouped denials), but he never abandoned the mark, which is what Ridley's playbook expects.
- **Ridley's central theory needed a do-over.** The Board-granted leave to replead the family of marks means Ridley's opening pleading of its most important doctrine was defective. A theory that must be repleaded at the TTAB is a theory that can be attacked in district court.
- **Ridley pleads DWD's knowledge only on "information and belief."** Its own amended notice alleges constructive knowledge from the registrations, not actual copying. There is no pleaded evidence of intent to trade on CRYSTALYX – because none plausibly exists; a dog-drink startup does not crib from cattle blocks.

- **The escalation was tactical, not merits-driven.** Ridley did not take the TTAB case to trial; it changed forums the moment the case would otherwise have moved toward Ridley's proof burdens, and it moved to suspend its own opposition. The federal complaint recycles the same theory in a venue where DWD's pro se path is barred.

IV. Plaintiff Dossier: Ridley USA Inc.

IV.A. Corporate Identity and Ownership Chain

Ridley USA Inc. is a Minnesota-organized operating company within the Alltech corporate family. Alltech, the Nicholasville, Kentucky animal-nutrition multinational founded by the Lyons family, acquired the publicly traded Ridley Inc. in 2015 for approximately \$521 million. The relevant operating division is **Ridley Block Operations (RBO)**, which manufactures livestock supplement blocks through a seven-plant North American network and markets the CRYSTALYX, SWEETLIX, Blueprint, and Stockade brands.

Critical 2026 development: on February 1, 2026, Alltech and ADM launched **Akralos Animal Nutrition**, a new North American feed joint venture combining their feed businesses. Alltech's announcements state that it "retains" Ridley Block Operations and Ridley Feed Ingredients, with those units becoming "partners and suppliers to the joint venture." But USPTO records show real movement: in TTAB Opposition No. 91302895 (Streamline Ag), **"Akralos Animal Nutrition LLC (substituted for Ridley USA Inc.)"** now appears as the plaintiff holding Ridley's HOMESTEAD registrations. At least one block of Ridley marks has therefore been assigned mid-restructuring. Whether any of the sixteen pleaded LYX-formative registrations moved, and whether the "Ridley USA Inc." that filed this lawsuit still owns each pleaded registration and its goodwill, is an open, checkable question. See Chink 7.

IV.B. The Trademark Arsenal (as pleaded at the TTAB)

Mark	Registration No.	Serial No.	Note
CRYSTALYX	1089036	73133190	Flagship; claimed use since 1977
CRYSTALYX	3015473	78482287	Second registration
CRYSTALYX VP	3008011	78425372	
BEEF-LYX	1894794	74497702	
DAIRY-LYX	1895832	74497580	
PHOS-LYX	2434182	75711267	
FORAGE-LYX	3399143	77080205	
POWER-LYX	3204575	78635435	

Mark	Registration No.	Serial No.	Note
GOAT-LYX	2757363	76416711	
ULTRALYX	3409074	78795995	
IONO-LYX	2034426	74675033	
BOVALYX	2680948	76404564	
FESCUE-LYX	1691139	74149972	
META-BOLYX	3314244	78793232	
NATURALYX	2506579	76177333	
STABLE-LYX	1407344	73581987	
BUFFER-LYX	7985825	99245105	Added by the 2026 PETALYX opposition

All are livestock-supplement marks. **None is the standalone word LYX.** Goods recited in the opposition center on "mineral protein supplements for cattle" and analogous livestock goods. Ridley also owns SWEETLIX - note the LIX spelling - through its 2004 Sweetlix acquisition.

IV.C. Enforcement History: the Nineteen TTAB Proceedings

Proceeding	Filed	Adverse party / mark	Type and outcome
91307984	6/9/2026	MSK Future LLC - PETALYX	Opposition, LIVE. Ridley policing the pet category in parallel with this lawsuit.
99126508	1/19/2026	Aire-Master - MCCAULEY'S	Extension of time to oppose
99194078	12/3/2025	Homestead Hill Inc.	Extension of time to oppose
91302895	11/5/2025	Streamline Ag - HOMESTEAD	Opposition; AKRALOS SUBSTITUTED as plaintiff (marks assigned)
91300524	7/23/2025	DWD Ventures - LYX	Opposition; suspended for this lawsuit
99012966	6/5/2025	Streamline Ag - HOMESTEAD	Extension (with Alltech)

Proceeding	Filed	Adverse party / mark	Type and outcome
98707152	4/16/2025	DWD Ventures - LYX	Extension of time to oppose (with Alltech) - the first shot at DWD
91283142	1/31/2023	Pure Homestead Nutrition	Opposition
90867411	11/3/2022	Pure Homestead Nutrition	Extension
97093690	9/30/2022	Alligare LLC - HOMESTEAD	Extension
90124229	2/13/2021	Homestead Naturals LLC	Extension
87889524	10/31/2018	Homestead Life Pet Products	Extension
87757239	8/2/2018	Nestlé - OPTI-LAC	Extension
87447609	4/4/2018	Shire LLC v. Ridley - AGRILYX	Ridley was the DEFENDANT: pharma company Shire took an extension against Ridley's own AGRILYX application
91238576	12/22/2017	HNHL Labs - CRYSTALIN	Opposition
92067123	10/16/2017	Natural Biologics - OPTILAC	Cancellation petition by Ridley
91202032	10/12/2011	Manna Pro - THE HAPPY HOMESTEADER	Opposition
85299789/96	9/12/2011	Manna Pro (two applications)	Extensions

The pattern is textbook portfolio policing: **most targets face only an extension of time to oppose** - a \$200 shot across the bow that typically produces abandonment or a quiet consent deal - and only a handful ever see a filed opposition. Federal litigation is absent from the pattern. The CourtListener federal record for Ridley USA is dominated by defensive matters: product liability (Wertheimer, D. Mont.; Littleton, E.D. Ky.), employment (Peeples, S.D. Fla.; Hughes, D. Mont.), and contract disputes (Boysel Farms, S.D. Ohio, twice). **This lawsuit is Ridley's first identified offensive federal trademark case.** They left their preferred arena to file it, which is both a signal of seriousness and a departure from institutional habit.

IV.D. The One Time the Shoe Was on the Other Foot

In April 2018, feed company **Ragland Mills, Inc. sued Ridley USA for trademark infringement** in the Western District of Missouri (3:18-cv-05030, asserting Ragland's Registration No. 3,976,912, Lathrop Gage as plaintiff's counsel). The docket is short and eloquent: Ridley took one agreed extension, and before ever filing an answer, the case ended in a **voluntary dismissal with prejudice on August 10, 2018 – four months and five days after filing, each side bearing its own costs.** Ridley, faced with an actual infringement claim, resolved it quietly and fast rather than litigate. Remember that when assessing how much appetite this plaintiff truly has for contested federal litigation. See Chink 8.

V. Chinks in the Armor: Ten Exploitable Weaknesses

This section is the requested second-pass over-analysis. Each chink states the weakness, the evidence behind it, and the use. Confidence labels: HIGH means directly documented in primary sources; MEDIUM means well-supported inference requiring confirmation in discovery.

Chink 1. Ridley owns no standalone LYX – and its family theory already needed a do-over

Every one of Ridley's pleaded registrations is a compound: CRYSTALYX, BEEF-LYX, GOAT-LYX. The asserted right against the naked word LYX therefore rests entirely on the **family-of-marks doctrine** – the claim that consumers recognize "-LYX" itself as a source indicator. Family-of-marks is a demanding theory: the proponent must prove the family feature was promoted together, in a manner creating public recognition of the surname before the newcomer's priority date. Ridley's original TTAB notice failed to properly plead it; the Board had to grant leave to amend at the October 28, 2025 discovery conference, and the amended notice arrived only November 25, 2025, fifteen months after DWD's constructive-use priority date of August 20, 2024. Ridley must prove family recognition as of a date long before it even managed to plead the family correctly. Confidence: HIGH (TTABVUE 10, 11; Ridley's own motion to strike recites the history).

Use: make family-of-marks the battleground. Demand Ridley's evidence of joint advertising of the "family," surveys, and recognition among DOG-owning consumers (not ranchers) predating August 2024. Squeeze the gap between sixteen separate cattle-product registrations and one alleged unified consumer perception.

Chink 2. The suffix is quasi-descriptive: -LYX means "licks"

CRYSTALYX products are **lick blocks** – livestock lick tubs and barrels. The suffix is a phonetic respelling of "licks," i.e., a description of the product format. Ridley's own portfolio betrays the descriptive gravity: its SWEETLIX brand spells the same idea LIX. A suffix that describes what the product is (a lick) is conceptually weak as a family surname, and weakness of the shared element is a recognized counter to family-of-marks claims. DWD's product, by contrast, is a drink mix – dogs do not lick a block; the term LYX as used by DWD is arbitrary and coined (derived, on the public record, from electrolytes). Confidence: HIGH on the facts; the doctrinal weight is argument.

Use: frame -LYX as a product-descriptive suffix in the livestock lick-block trade, entitled to a narrow scope; note Ridley's own inconsistent LIX/LYX spelling; position DWD's LYX as an

independent coinage from electroLYtes with an X, born of the human-electrolyte trend (LMNT-style), not of cattle blocks.

Chink 3. The crowded field: LIXIT has sold pet-hydration products for decades

Lixit Corporation is a long-established pet-products manufacturer whose LIXIT-branded water bottles, waterers, and drinking devices for dogs and small animals are sold at Walmart, Amazon, and pet retail nationwide – and its product line even includes waterers for goats and swine, straddling the livestock line Ridley claims to own. LIXIT is phonetically built on the same lick root, lives specifically in PET HYDRATION, and has coexisted with CRYSTALYX for decades with no confusion anyone has documented. Confidence: HIGH that LIXIT exists at scale in pet hydration; MEDIUM on registration particulars (pull the LIXIT portfolio from TSDR in discovery prep).

Use: the coexistence of LIXIT (pet watering) and CRYSTALYX (cattle blocks) is near-dispositive real-world evidence that lick-root marks can share the animal-products world without confusion. It simultaneously narrows the family's scope and rebuts any claimed zone of expansion into pet hydration: the zone has been occupied by a third party since before DWD existed.

Chink 4. The goods-and-channels gulf is enormous

CRYSTALYX is a low-moisture molasses barrel weighing up to 200-plus pounds, sold through farm-and-ranch dealers to cattle producers, marketed in Drovers and Angus Journal and at stock shows. LYX is a roughly \$20 consumer stick-pack of flavored canine electrolytes sold on Amazon, Walmart marketplace, Instacart, and DTC, marketed on Instagram and at AKC events. Purchasers, price points, channels, media, shelf context, and purchase care all diverge. Under the Fifth Circuit's digits of confusion, similarity of products, outlet identity, purchaser identity, and advertising-media identity are all fighting for DWD. Confidence: HIGH.

Use: build the record visually – photograph a CRYSTALYX barrel next to a LYX stick-pack. This is the exhibit a Fort Worth jury remembers. Fort Worth juries know what a lick tub is.

Chink 5. Ridley never uses LYX alone, and never sold a dog product

In 47 years, Ridley's record shows no standalone use of LYX and no companion-animal product under any LYX-formative mark. Its own marketing treats CRYSTALYX as a unitary brand name. The natural-zone-of-expansion argument fails on history: a company that

has watched the pet-supplement boom for two decades without entering it cannot credibly claim dog electrolytes as its natural next step. Its opposition against PETALYX (June 2026) is policing born of fear of the pet category, not presence in it. Confidence: HIGH on absence of pet products in the public record; discovery can make it conclusive.

Use: interrogatory one: identify every product ever sold for companion animals under any pleaded mark. The expected answer, none, guts both expansion and overlap.

Chink 6. Dilution is unavailable and Ridley knows it

Federal dilution requires fame among the general consuming public of the United States – household-name status. CRYSTALYX is famous to cattle producers; it is unknown to the general public that buys dog products. Telling: the cause of action pleaded on the civil cover sheet is 15 U.S.C. § 1114 infringement. If dilution had been viable, Barnes & Thornburg would have pleaded it. Its absence is an admission of the mark's niche fame. Confidence: HIGH on the pleaded cause; the complaint text should be confirmed on answer (obtain from PACER).

Use: hold the fame point in reserve for summary judgment framing: a mark too niche for dilution is a mark whose strength outside its niche is limited – which feeds the strength-of-mark digit.

Chink 7. Chain of title is moving under their feet: the Akralos audit

The Alltech-ADM Akralos joint venture launched February 1, 2026, five months before this suit. USPTO records already show Akralos substituted for Ridley USA as owner of the HOMESTEAD marks in a live TTAB opposition. Corporate reorganizations are where trademark chains of title break: assignments executed but not recorded, goodwill transferred to a JV while the registrant shell keeps the certificate, licenses without quality control. Every pleaded registration should be audited: current recorded owner, assignment history, and whether "Ridley USA Inc." retains the goodwill that gives it standing to sue and to claim the 1977 priority. The Certificate of Interested Persons (Doc 6, with its clerk-flagged affiliate entry) is the roadmap. Confidence: HIGH that restructuring is live and marks have moved; MEDIUM that any pleaded LYX registration is affected – that is exactly what the audit is for.

Use: a standing or ownership defect on even a few pleaded registrations would be an early, cheap, embarrassing blow. At minimum, discovery into the JV's brand allocation complicates Ridley's clean narrative and creates settlement pressure from inside Alltech, which is trying to close a marquee JV, not air its title papers.

Chink 8. When Ridley was the accused, it folded in four months

Ragland Mills, Inc. v. Ridley USA Inc. (W.D. Mo. 2018): sued for trademark infringement, Ridley never filed an answer; the case resolved by voluntary dismissal with prejudice inside four months, each side bearing its own fees. The institution's revealed preference, on both sides of the v., is quick, quiet resolution. Its threat model is built on opponents who cannot afford to test that preference. Confidence: HIGH (docket of record).

Use: calibrate settlement strategy. A firm, early, well-drafted answer plus a credible counterattack (Chinks 1, 3, 7) confronts Ridley with exactly the fight its history says it avoids. The PETALYX opposition raises their stakes: a bad precedent against DWD infects their parallel enforcement.

Chink 9. The economics are upside-down for Ridley

DWD's application is intent-to-use with first sales in late 2024; the damages window is short, the revenue base is startup-scale, and disgorgement of profits from a company still deploying venture capital is likely negligible against Barnes & Thornburg's burn rate. Ridley cannot recover what this case will cost it unless it wins fees, which requires an exceptional case – implausible against a defendant with a professionally cleared rebrand story and no copying evidence. This is a pure injunction play funded by a corporate parent mid-JV. Litigation-budget logic favors the party with the brand to lose, and both sides have one. Confidence: MEDIUM-HIGH (financial inference).

Use: in the first conferral, price the case honestly for them: two years, seven figures of fees, uncertain digits, title discovery into the JV, and a jury in a dog-loving city – against a coexistence agreement they could sign this quarter.

Chink 10. The optics are terrible for them, and they chose a jury

Ridley demanded the jury. Picture voir dire in Fort Worth: an Air Force veteran founder who built a dog-hydration brand from a farmers-market cooler, backed by local investors, staffed by people who foster rescues, versus a half-billion-dollar Kentucky-owned cattle-feed conglomerate that sells 200-pound molasses barrels and claims to own three letters it never registered alone and never used on a dog product. Every equity runs one way. The AKC, Ad Age, and Fort Worth Report coverage is admissible brand-story evidence. Confidence: HIGH on the facts; jury behavior is inherently probabilistic.

Use: never let Ridley forget the jury demand is theirs. Every case-management conference where DWD looks like the reasonable, professional, local underdog raises Ridley's settlement urgency.

VI. Defendant Dossier: DWD Ventures LLC / LYX Hydration

VI.A. Entity

Field	Value
Legal name	DWD Ventures LLC (Texas limited liability company)
d/b/a	LYX Hydration – lyxhydration.com
Address of record	3208 Collinsworth St., Fort Worth, TX 76107
Product	Powdered canine electrolyte hydration mix (chicken and beef broth plus coconut-water base), stick packs; formerly canned, under the name Pet Water Project
Channels	Amazon (No. 1 in canine hydration), DTC via Shopify, Walmart marketplace, Instacart
Investors	Morrison Seger Venture Capital Partners (lead; Rogers Healy); Capital Factory (per PitchBook)
Brand agency	Six+One (NYC; Hippeas, BODYARMOR portfolio) – created the LYX name and identity
Recognition	Ad Age top-13 campaign (AKC USA 250 "Dogvertising"); AKC TV; Entrepreneur Elevator Pitch; Fort Worth Report; EventMarketer; The Underbite

VI.B. The People

Dylan Jones – founder and public face. U.S. Air Force veteran; conceived the product after observing military working dogs' hydration struggles. Sold the first version from a cooler at Fort Worth farmers markets. Has personally carried the TTAB defense pro se for a year, including answering an AmLaw 100 firm's amended pleadings. Media-fluent and relentless; the brand's origin story is genuinely his.

David Deering – the DWD principal. Fort Worth entrepreneur and investor; LinkedIn (deeringintexas, roughly 30,000 followers) lists **LYX as his company** under the headline "Pre-Rev, Early Stage & Special Situations"; CEO of UnderPar Life (2025 D CEO Innovation Awards finalist); active in CREATE FW; Texas Tech alumnus. The DWD initials, his special-situations positioning, and the public LYX affiliation are consistent with Deering as a principal or co-owner of the holding entity, with Jones as founder-operator. The precise cap table is not publicly verifiable without Texas SOS records – counsel should confirm

internally on day one, because Rule 7.1 disclosure will require it anyway. Confidence: affiliation HIGH; ownership structure MEDIUM.

Skeet Freeman – President (2026). Built Ultima Replenisher from a kitchen formula to national retail and through acquisition by WM Partners. **Joey Bilotti** joined alongside; at Ultima he grew the Amazon storefront from \$20,000 to \$30 million. The operating team has taken an electrolyte brand to exit before – and knows exactly what a forced rebrand would destroy.

VI.C. Why the Profile Changes the Case

Ridley filed against what its papers treat as a pro se micro-business. The reality is a venture-backed category leader with a professional operating team, national press, and investors whose reputations are attached to the LYX name. That reality cuts in both directions and both matter: DWD has too much invested in the name to surrender it reflexively, and DWD has the sophistication and resources to make Ridley's cheap-win theory expensive. The gap between what Ridley thinks it sued and what it actually sued is itself strategic leverage – revealed the moment real counsel appears.

VII. Adversary Playbooks

VII.A. The Ridley Playbook – How They Fight, and the Counter for Each Move

Their move	Why they make it	The counter
Extension of time to oppose as a warning shot (13 of 19 TTAB proceedings)	Costs a few hundred dollars; most applicants abandon or take a quiet consent deal	Already past. DWD survived the warning-shot phase; that history shows resolve and reads well to the Court.
Oppose at the TTAB and grind procedurally (motions to strike, deficiency notices) rather than reach the merits	Attrition beats adjudication against unrepresented parties	Represented counsel converts every procedural gambit into wasted plaintiff spend. Answer cleanly; make them litigate the merits they have avoided for a year.
Escalate to district court only when attrition fails; pick the forum that bars pro se entities	Default or forced capitulation is the cheapest win available	Deny them the default: counsel on file and a response by August 19. The entire escalation premise collapses on appearance.
Plead the family of marks and 1977 priority; lead with incontestability	The registrations are their only overwhelming asset	Concede the registrations exist; fight where they are weak – family recognition among dog owners, standalone-LYX absence, suffix descriptiveness (Chinks 1, 2), crowded field (Chink 3).
Police the pet frontier in parallel (PETALYX opposition)	Build a wall of precedent one small opponent at a time	Coordinate awareness with MSK Future's counsel; refuse to be the easy first brick. Any DWD win or strong settlement resets the wall.
Resolve quietly when truly confronted (Ragland Mills, 2018)	Institutional preference for certainty and silence	Give them a dignified exit: a fenced coexistence agreement, mutual non-disparagement, TTAB withdrawal. Price it against

Their move	Why they make it	The counter
		seven figures of fees and JV-era title discovery.

VII.B. Counsel Playbook – Barnes & Thornburg LLP

Caitlin R. Byczko (Partner, Indianapolis) – the architect. Runs Ridley's brand-enforcement program; trademark prosecution and litigation, deep TTAB practice; industries include agriculture and consumer products; Managing IP Rising Star; prior in-house experience. She drafted the opposition, obtained leave to replead the family theory, and signed the motion to strike. Expect her to control strategy from Indianapolis. Her bio language – "highly tactical," anticipating roadblocks – matches the record: procedural pressure, disciplined pleadings, selective escalation. **Counter:** engage her on the merits early; she is rational about risk and close to the client's business goal, which is a fence, not a scalp.

David Lisch (Dallas) – the local edge. IP litigator and patent attorney (electrical engineering background), Best Lawyers in IP litigation, NDTX-fluent; signed every district-court filing and the day-one evidence declaration. He supplies Pittman-court compliance and Texas presence. **Counter:** match him with counsel of equal NDTX fluency; Pittman's courtroom rewards local-rule perfection, and Doc 12 shows what happens without it.

Francis (Rusty) Cislak (Indianapolis) – the support line. Signed the TTAB motion to strike; expect him on briefs. The staffing (two partners plus support, split Indy/Dallas) signals a controlled-budget engagement, consistent with a client that wants leverage, not a war. **Counter:** every month of real litigation stresses that budget model and moves the client toward the deal.

VII.C. The Court Playbook – Practicing Before Judge Mark T. Pittman

Trait (documented)	Practice rule for DWD
Strict local-rule enforcement: struck DWD's motion in one day over a missing proposed order (LR 7.1(c))	Every filing letter-perfect: proposed orders, certificates of conference, judge-specific requirements, Dondi civility. Assume zero tolerance for form errors.
Fast docket; extensions granted only in part	Never ask for time twice. Build the defense calendar backward from August 19 with margin.

Trait (documented)	Practice rule for DWD
Sanctioned an attorney for opposing a routine extension (later reversed on appeal)	Extend professional courtesy conspicuously; never oppose reasonable accommodation requests. Courtesy is currency in this courtroom.
Trump appointee (2019), former Texas Second Court of Appeals justice, Federalist Society; textualist orientation; unafraid of high-profile rulings (struck down the 2022 student-loan forgiveness program)	Brief statute and precedent tightly; lead with the Fifth Circuit digits and record evidence, not atmospherics. Policy arguments underperform here; clean doctrine wins.
Fort Worth roots and civic profile	The hometown-startup identity is an asset with the jury, not the judge; keep merits and sympathy strictly separated in briefing.

VII.D. The DWD Defense Playbook – 30 / 60 / 90

Days 0-12 (by August 19) – Survival

- Retain NDTX-experienced trademark litigation counsel immediately; notice of appearance on file well before the deadline.
- File the answer (or a considered Rule 12 motion; an answer with strong affirmative defenses is likely the better posture before this judge) – deny the confusion allegations, plead the crowded field, descriptive-suffix, and lack-of-family defenses, and preserve counterclaims.
- Evaluate a declaratory-judgment counterclaim of non-infringement and, after the title audit, potential challenges tied to any ownership defects.
- Litigation hold; preserve all clearance, branding (Six+One), and sales records; notify insurers (check CGL advertising-injury coverage – it can fund the defense).
- Confirm the cap table and prepare the Rule 7.1 disclosure; decide who speaks for DWD publicly, and quiet all social commentary about the case.

Days 13-45 – Position

- Rule 26(f) conference: propose a lean schedule; signal professionalism to chambers in the joint report.
- Open the USPTO title audit of all pleaded registrations against the Akralos JV record; draft targeted discovery on family-of-marks evidence, pet-product history (none

expected), actual-confusion evidence (none expected), and the JV's brand allocation.

- Commission the coexistence survey groundwork and the LIXIT/third-party marketplace record.
- Quiet outreach to MSK Future's counsel (PETALYX) for common-interest awareness.

Days 46-90 - Leverage

- Serve the discovery that prices the case for Ridley: family recognition among dog owners, JV title documents, 47 years of no companion-animal sales.
- First substantive settlement conversation from strength: fenced coexistence (DWD stays out of livestock goods and compound -LYX formatives; Ridley withdraws the opposition and covenants not to sue in companion-animal classes).
- If Ridley will not deal, proceed to summary-judgment architecture on the digits: product dissimilarity, channel separation, purchaser care, no intent, no actual confusion.

VIII. Likelihood-of-Confusion Battle Map (Fifth Circuit Digits)

The Fifth Circuit weighs the nonexclusive "digits of confusion." No single digit controls, and the list below maps each side's best evidence as the record stands today.

Digit	Ridley's best case	DWD's best case
Strength of mark	CRYSTALYX: 47 years, incontestable registrations, claimed family of 16 marks	Strength is confined to livestock buyers; suffix is quasi-descriptive (licks); no standalone LYX; family theory had to be repleaded; SWEETLIX spelling inconsistency
Mark similarity	LYX is identical to the shared suffix; DWD's mark is the family surname standing alone	Marks are compared whole: CRYSTALYX (four syllables, unitary) vs LYX (one syllable, coined from electrolytes); different look, sound, commercial impression
Product similarity	Both are ingestible animal nutrition supplements with electrolyte function	200-lb cattle molasses barrels vs \$20 flavored dog drink sticks; different classes of animal, format, and purpose
Outlet / purchaser identity	Farm stores increasingly sell pet goods; rural consumers overlap	Ranch dealers vs Amazon/DTC/pet retail; producers buying inputs vs pet parents; LIXIT already occupies pet watering without confusion
Advertising media	Both use digital and event marketing	Drovers/Angus Journal/stock shows vs Instagram/AKC events/Ad Age-covered DTC campaigns; zero media overlap in the record
Defendant's intent	Constructive knowledge from registrations (pleaded on information and belief)	Name coined by a top NYC agency from electrolyte roots; no livestock awareness; no copying evidence anywhere in the record
Actual confusion	None pleaded with specificity as of the TTAB record	Two years of concurrent marketplace presence, zero documented instances; LIXIT coexistence as systemic proof

Digit	Ridley's best case	DWD's best case
Purchaser care	Pet consumables are low-cost impulse goods	Cattle-supplement buyers are professional purchasers exercising high care; pet-wellness buyers are brand-researching label readers; neither mistakes a barrel for a stick-pack

Net assessment: Ridley wins the paper digits (strength within its niche, literal identity of the three letters). DWD wins the marketplace digits (products, channels, purchasers, media, intent, actual confusion, care). Fifth Circuit outcomes in cross-category cases turn on the marketplace digits when the goods are genuinely remote. This is a defensible case – if it is defended.

IX. Endgame Scenarios and Settlement Architecture

Scenario	Shape	Probability*	Driver
Default judgment	No counsel by Aug 19; default entry, permanent injunction against LYX, possible fees; brand destroyed	Avoidable	Entirely within DWD's control
Fenced coexistence (most likely negotiated outcome)	DWD keeps LYX for companion-animal goods; covenants out of livestock products and compound -LYX marks; Ridley withdraws opposition; mutual releases	High if defended	Ridley's history (Ragland, consent-deal pattern), economics, PETALYX exposure
Litigated DWD win	Summary judgment or defense verdict on the digits; application proceeds to registration	Meaningful	Marketplace digits; crowded field; jury equities
Litigated Ridley win	Injunction and rebrand after full litigation	Lower	Requires family recognition among dog owners to carry all marketplace digits
Forced rebrand settlement	DWD trades the name for time and money if defense funding fails	Hedge	Purely a resource question; insurance and investors decide

*Probabilities are qualitative judgments, not statistics. The controllable variable dwarfs all others: represented, on time, and organized converts the distribution from bimodal (default vs surrender) to favorable (coexistence vs winnable fight).

Settlement architecture to propose when the moment comes: (1) DWD limits its registration and use to companion-animal hydration and wellness goods; (2) DWD covenants never to use LYX with a livestock-supplement descriptor or in compound form with a feed term; (3) Ridley withdraws Opposition 91300524 and consents to registration in Class 31 as limited; (4) mutual covenants not to sue and non-disparagement; (5) no payment either direction, each side bearing costs – mirroring Ridley's own Ragland Mills resolution. This gives Byczko a clean fence her client can log as a win, and it gives LYX its name.

X. Master Reference Log

Federal court records

- PACER / PacerMonitor, Ridley USA Inc. v. DWD Ventures LLC, 4:26-cv-00854 (N.D. Tex.), docket entries 1-14 (pulled Aug 7, 2026): pacermonitor.com/public/case/65668349/
- CourtListener docket 73608313 (RECAP mirror; complaint PDF not yet available in the free archive): courtlistener.com/docket/73608313/
- Ragland Mills, Inc. v. Ridley USA Inc., 3:18-cv-05030 (W.D. Mo. 2018), CourtListener docket 7242799, entries 1-9 (complaint asserting Reg. 3,976,912; voluntary dismissal with prejudice Aug. 14, 2018)
- CourtListener federal party search "Ridley USA" (25 results reviewed; defensive litigation profile): Hughes v. Ridley (D. Mont. 2023); Boysel Farms v. Ridley (S.D. Ohio 2023, 2025); Wertheimer v. Ridley (D. Mont. 2018); Littleton v. Ridley (E.D. Ky. 2017); Peebles v. Ridley (S.D. Fla. 2017)

USPTO / TTAB records

- TTABVue, Opposition No. 91300524, Ridley USA Inc. v. DWD Ventures LLC, full prosecution history (entries 1-20), party and correspondence data, and the sixteen pleaded registrations: ttabvue.uspto.gov/ttabvue/v?pno=91300524&pty=OPP
- Ridley's Notice of Opposition (1 TTABVue): ttabvue.uspto.gov/ttabvue/ttabvue-91300524-OPP-1.pdf
- Ridley's Motion to Strike Applicant's Amended Answer, Feb. 11, 2026 (15 TTABVue), incl. recitation of the amended notice's paragraphs 11-18 and the leave-to-replead history: ttabvue.uspto.gov/ttabvue/ttabvue-91300524-OPP-15.pdf
- TTABVue party search "Ridley USA Inc." - 19 proceedings incl. Opp. 91307984 (PETALYX, MSK Future, filed 6/9/2026) and Opp. 91302895 (Akralos Animal Nutrition LLC substituted for Ridley USA Inc.)
- Application Serial No. 98707152 (LYX, DWD Ventures): TSDR status and file

Corporate and market sources

- Alltech press releases: Akralos debuts (Feb. 2, 2026) and ADM-Alltech JV announcement (Alltech retains Ridley Block Operations): alltech.com/press-release/akralos-debuts; agriculture.com JV coverage
- Alltech - Ridley Block Operations company page (brands: Crystalix, Sweetlix, Blueprint, Stockade; seven-plant network); sweetlix.com/about-us; crystalix.com

- PRNewswire (2015): Alltech acquires Ridley Inc. (~\$521M); Wikipedia: Ridley Inc. (Sweetlix acquired 2004)
- lyxhydration.com – press page and July 2026 press release (Morrison Seger backing; Pet Water Project origin; Six+One rebrand; Skeet Freeman and Joey Bilotti; No. 1 Amazon ranking; AKC USA 250 campaign; Ad Age recognition; \$35B human electrolyte market context; \$135M–\$480M pet subcategory projection)
- Fort Worth Report (Dec. 14, 2025) founder profile; EventMarketer (two features); The Underbite newsletter (LMNT analog analysis); 2lhats podcast; AKC TV episode 21463
- PitchBook company profile 690893–74 (Lyx investors: Morrison Seger, Capital Factory); Dallas Innovates guide (April 18, 2025 investment)
- LinkedIn: Dylan Jones (dylan-jones2); David Deering (deeringintexas – headline listing LYX); LYX company page; Rogers Healy profile; X @davidadeering
- Lixit Corporation: Amazon brand store (small-animal watering devices, 30 labels); Walmart product listings (Lixit dog water bottles); revivalanimal.com Lixit guide

Counsel and court profiles

- btlaw.com bios: David Lisch (Dallas); Caitlin R. Byczko (Indianapolis partner); Managing IP Rising Star announcement; IP Stars profile; Best Lawyers listings; Patexia Patent Litigation Intelligence Report 2026 (Lisch)
- txnd.uscourts.gov Judge Mark T. Pittman chambers page (b. 1975; service 2019; Dondi and judge-specific requirements); FJC judicial biography (Big Spring, TX); Texas Second Court of Appeals history page; Federalist Society bio; Texas Lawbook judicial profile; Bloomberg Law: Fifth Circuit reversal of Pittman extension-related sanctions order

Confidence statement (two-axis). Factual layer: documented docket, TTAB, USPTO, and corporate facts are HIGH confidence – every material fact above traces to a primary source pulled August 7, 2026. Deering's precise equity in DWD Ventures and the complaint's full text (not yet in the free RECAP archive) are the two identified gaps, both closable in a day with SOS records and a PACER pull. Analytical layer: legal-strength assessments are professional-judgment inferences at MEDIUM-HIGH rigor, deliberately argued from the defense perspective per tasking, and are not legal advice. DWD's controlling next step is unaffected by any open question: counsel on file before August 19, 2026.

COB - KNOX