

NOTE: This disposition is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

THE PAW WASH, LLC,
Plaintiff-Appellee,

v.

PAW PLUNGER, LLC,
Defendant-Appellant,

2012-1240

Appeal from the United States District Court for the
Western District of Missouri in case no. 08-CV-0113,
Judge Gary A. Fenner.

Decided: December 14, 2012

RICHARD L. BROPHY, Armstrong Teasdale, LLP, of St
Louis, Missouri, argued for plaintiff-appellee. With him
on the brief was JENNIFER E. HOEKEL.

DAVID L. REIN, JR., Finch & Campbell, LLP, of Kansas
City, Missouri, argued for defendant-appellant.

Before DYK, PLAGER, and CLEVINGER, *Circuit Judges.*

PER CURIAM.

In this case, based on a certain settlement agreement between the parties, the district court, on November 15, 2011, issued a permanent injunction enjoining Paw Plunger, LLC (“Paw Plunger”) “from infringing the ‘391 patent by making, using, offering for sale, and/or selling in the United States of importing into the United States the ‘Paw Plunger’ and any other products that infringe one (1) or more claims of the ‘391 patent.” Paw Plunger appeals. We affirm the decision of the district court with one exception. The injunction granted by the district court should have been limited to Claim 17 of the ‘391 patent. Thus, the permanent injunction must be revised to read as follows:

ORDERED Defendant and each of its agents affiliates, successors, servants, and employees, and any and all other persons or entities acting under Defendant’s authority, are hereby permanently enjoined from infringing the ‘391 patent by making, using, offering for sale, and/or selling in the United States or importing into the United States the “Paw Plunger” and any other products that infringe Claim 17 of the ‘391 patent.

In light of this decision, we vacate the district court’s ruling and remand to the district court so that it may enter an appropriate order.

**AFFIRMED IN PART, VACATED AND REMANDED
IN PART**

COSTS

Costs to appellee.