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UNITED STATES DISTRICT COURT  
DISTRICT OF CALIFORNIA  
WESTERN DIVISION

FUTURELOGIC, INC.,  
Plaintiff/Counterdefendant,  
v.  
NANOPTIX, INC,  
Defendant/Counterclaimant.

Case No. 2:10-CV-7678-JFW (DTB)  
**FINAL JUDGMENT**

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Defendant’s Motion for Summary Judgment of Invalidity of U.S. Patent No. 7,594,855 (“855 Patent”), Docket No. 55, came before the Hon. John F. Walter, District Judge Presiding. The evidence presented having been fully considered and a decision having been fully rendered on November 2, 2011, in the Court’s Order, Docket No. 121, the Court enters final judgment as follows:

IT IS ORDERED AND ADJUDGED that:

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1. U.S. Patent No. 7,594,855 is invalid under 35 U.S.C. § 102(b);
2. Plaintiff's Complaint and Defendant's counterclaim for declaratory judgment of noninfringement, and all defenses and counterclaims other than for invalidity under 35 U.S.C. § 102(b), are dismissed without prejudice as moot;
3. Plaintiff's Motion for Summary Judgment of Infringement of the '855 Patent, Docket No. 69, is denied;
4. Defendant's Motion for Leave to File Amended Answer with Inequitable Conduct Counterclaim and Defense, Docket No. 64, is denied; and
5. Defendant is entitled to costs as the prevailing party.

Dated: November 15, 2011

  
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JOHN F. WALTER  
UNITED STATES DISTRICT JUDGE