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John B. Sganga, Jr. (CSB # 116,211)
jsganga@kmob.com
Karen Vogel Weil (CSB # 145,066)
kweil@kmob.com
Jon W. Gurka (CSB # 187,964)
jgurka@kmob.com
David G. Jankowski (CSB # 205,634)
djankowski@kmob.com
Marko R. Zoretic (CSB # 233,952)
mzoretic@kmob.com
KNOBBE, MARTENS, OLSON & BEAR, LLP
2040 Main Street, Fourteenth Floor
Irvine, CA 92614
Telephone: (949) 760-0404
Facsimile: (949) 760-9502

Attorneys for Plaintiff
KRUSE TECHNOLOGY PARTNERSHIP

Scott W. Doyle (*Pro Hac Vice*)
scott.doyle@shearman.com
Jonathan R. DeFosse (*Pro Hac Vice*)
jonathan.defosse@shearman.com
Michel Souaya (*Pro Hac Vice*)
michel.souaya@shearman.com
SHEARMAN & STERLING LLP
801 Pennsylvania Ave., N.W., Suite 900
Washington, DC 20004
Telephone: (202) 508-8030
Facsimile: (202) 661-7329

Ben M. Davidson (CSB # 181464)
bdavidson@davidson-lawfirm.com
Heather H. Fan (CSB # 215201)
hfan@davidson-lawfirm.com
DAVIDSON LAW GROUP
11377 W. Olympic Blvd.
Los Angeles, CA 90064
Telephone: (310) 473-2300
Facsimile: (310) 473-2941

Attorneys for Defendants
DAIMLER AG, MERCEDES-BENZ USA
LLC, MERCEDES-BENZ U.S.
INTERNATIONAL INC., and DAIMLER
VANS MANUFACTURING LLC

**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

KRUSE TECHNOLOGY
PARTNERSHIP,

Plaintiff,

v.

DAIMLER AG; MERCEDES-BENZ
USA, LLC; DETROIT DIESEL CORP.;
WESTERN STAR TRUCK SALES,
INC.; VOLKSWAGEN AG;

) Civil Action No.
) SACV 10-1066 JVS (RNBx)
)
) **FINAL JUDGMENT AS TO**
) **KRUSE AND THE DAIMLER**
) **DEFENDANTS**
)
) Hon. James V. Selna

1 VOLKSWAGEN GROUP OF
2 AMERICA, INC., d/b/a AUDI OF
3 AMERICA, INC.; CHRYSLER GROUP
4 LLC; DAIMLER TRUCKS NORTH
5 AMERICA LLC; MERCEDES-BENZ,
6 U.S. INTERNATIONAL, INC.; and
7 DAIMLER VANS MANUFACTURING
8 LLC,

Defendants.

AND RELATED COUNTERCLAIMS.

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The Motion for Summary Judgment of Non-Infringement of Defendants Daimler AG, Mercedes-Benz USA LLC, Mercedes-Benz U.S. International Inc., and Daimler Vans Manufacturing, LLC (collectively, the “Daimler Defendants”) came on for hearing before this Court on March 19, 2012. The Court granted the Daimler Defendants’ motion for an order under Rule 56 of the Federal Rules of Civil Procedure that judgment be entered in favor of the Daimler Defendants and against Plaintiff Kruse Technology Partnership (“Kruse”) on the grounds there is no genuine dispute as to any material fact and the Daimler Defendants are entitled to judgment of non-infringement of U.S. Patent Nos. 5,265,562 and 6,058,904 as a matter of law.

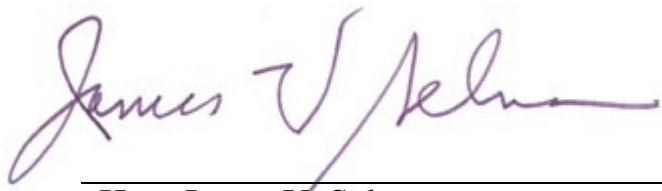
Thereafter, the Daimler Defendants and Kruse entered into a stipulation under which the Daimler Defendants agreed to dismiss their remaining counterclaims against Kruse seeking declaratory judgments of invalidity and unenforceability of U.S. Patent Nos. 5,265,562 and 6,058,904, without prejudice. In accordance with the above-described order and stipulation,

IT IS ORDERED, ADJUDGED, AND DECREED that:

- (1) Judgment is entered in favor of the Daimler Defendants and against Kruse as to the claims of infringement of U.S. Patent Nos. 5,265,562 and 6,058,904 set forth in Kruse’s Second Amended Complaint and as to the Daimler Defendants’ counterclaims seeking declarations of noninfringement of those patents as set forth in the Daimler Defendants’ Answers to the Second Amended Complaint;
- (2) The Daimler Defendants’ counterclaims against Kruse seeking declaratory judgments of invalidity and unenforceability of U.S. Patent Nos. 5,265,562 and 6,058,904 are dismissed, without prejudice;
- (3) The parties reserve all issues for appeal; and

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(4) The Daimler Defendants reserve their right to seek fees and costs pursuant to 35 U.S.C. § 285.



Dated: April 10, 2012

Hon. James V. Selna
United States District Court Judge