

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

ST. JUDE MEDICAL, INC. and
ST. JUDE MEDICAL PUERTO RICO, LLC

PLAINTIFFS

VS.

CASE NO. 08-CV-4101

ACCESS CLOSURE, INC.

DEFENDANT

ORDER

Having reviewed and considered the jury's Verdict Form, the trial record, and the Court's own Findings Of Fact And Conclusions Of Law, as well as all pleadings, papers, and other matters that have come before the Court in connection with this matter, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

Defendant Access Closure, Inc. and its subsidiaries, successors, assigns, directors, officers, agents, servants, employees, attorneys, representatives, and those persons in active concert or participation with them who receive notice hereof, are hereby immediately and permanently restrained and enjoined, pursuant to 35 U.S.C. § 283 and Fed. R. Civ. P. 65(d), from making, using, offering for sale, selling, distributing or otherwise providing in the United States, or importing into the United States, or causing to be made, used, offered for sale, sold, distributed or otherwise provided in the United States, or imported into the United States, the Infringing Products and all other products that are no more than colorably different therefrom in the context of the claims of U.S. Patent No. 7,008,439, either alone or in combination with any other product or as part of

any other product, and from inducing others to infringe, contributing to the infringement of, or otherwise infringing U.S. Patent No. 7,008,439.

As used herein, the “Infringing Products” shall mean Defendant Access Closure, Inc.'s Mynx vascular closure devices, including without limitation: MX5000, MX6700, MX6750, MX5001, MX6701, MX6720, MX6721, Mynx 1.5, Mynx Cadence, and Mynx ISC.

Defendant Access Closure Inc. shall forthwith provide written notice of this judgment, and the injunction ordered herein, to: its directors, officers, agents, servants, employees, attorneys, representatives, and subsidiaries, and those persons in active concert or participation with them, including any and all replicators, manufacturers, distributors, retailers, customers and service providers who have been involved in the making, using, selling, offering for sale, distributing, or importing of any Infringing Products; and to all other persons or entities involved in any way with the making, using, selling, offering for sale, distributing or importing of any Infringing Products. Defendant Access Closure Inc. shall take whatever means are necessary or appropriate to ensure that this order is properly complied with.

This permanent injunction shall run until the expiration of U.S. Patent No. 7,008,439, currently March 7, 2023. This Court retains jurisdiction to enforce any and all aspects of this Permanent Injunction.

IT IS SO ORDERED this 4th day of June, 2012.

/s/ Harry F. Barnes
Hon. Harry F. Barnes
U.S. District Judge