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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

NEUROVISION MEDICAL
PRODUCTS, INC.,

Plaintiff,

vs.

NUVASIVE INC.,

Defendant.

Case No. 09-CV-6988 DSF (JEMx)

Hon. Dale S. Fischer

JUDGMENT

1 JUDGMENT is hereby entered in favor of plaintiff Neurovision Medical
2 Products, Inc. and against defendant NuVasive, Inc. in the amount of \$30,000,000.

3
4 NuVasive and each of its officers, agents, servants and employees, and all
5 those persons in active concert or participation with them are hereby forever
6 enjoined from using the mark NEUROVISION in the sale, offering for sale,
7 distribution, lending, marketing or advertising of medical devices or related
8 merchandise and services at any locality in the United States, provided, however,
9 that the following shall not be considered a violation of this injunction:

- 10
- 11 ○ Use of or reference to the NEUROVISION mark for
12 truthful informational purposes with investors and
13 regulatory agencies, including without limitation, the
14 Securities and Exchange Commission or FDA, to
15 refer to historic products, historic product sales,
16 and/or this lawsuit;
 - 17 ○ In response to a customer inquiry, NuVasive can
18 truthfully explain that it formerly marketed products
19 under the name NEUROVISION.

20 United States Patent and Trademark registration numbers 2,711,777 and
21 2,782,540 for the mark NEUROVISION shall be cancelled. The cancellation shall
22 be stayed pending appeal.

23 This Judgment shall be amended to the extent additional post-judgment relief
24 – e.g., attorney’s fees, costs, or interest – is requested and awarded.

25 IT IS SO ORDERED.

26 9/24/14

27 Dated: _____



28 _____
The Hon. Dale S. Fischer
Judge of the United States District Court

1 Respectfully Submitted:

2 Dated: September 19, 2014

BROWNE GEORGE ROSS LLP
Peter W. Ross
Keith J. Wesley

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5 By s/ Keith J. Wesley
 Keith J. Wesley

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Attorneys for Plaintiff
Neurovision Medical Products, Inc.

8 Dated: September 19, 2014

DLA PIPER LLP (US)
William S. Boggs
Noah A. Katsell

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11 By s/ William S. Boggs
 William S. Boggs

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13 Attorneys for Defendant NuVasive, Inc.

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