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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

KARL STORZ IMAGING, INC., a
California corporation,

Plaintiff,

v.

POINTE CONCEPTION MEDICAL,
INC., a Delaware corporation,

Defendant.

POINTE CONCEPTION MEDICAL,
INC., a Delaware corporation,

Counterclaimant,

v.

KARL STORZ IMAGING, INC., a
California corporation,

Counterdefendant.

Case No.: CV09-08070 GAF (Ex)
JUDGMENT

1 Pursuant to the Court's August 1, 2011 Order: denying summary judgment
2 to plaintiff Karl Storz Imaging, Inc.'s ("Plaintiff") on its claim for infringement of
3 U.S. Patent No. 7,212,227; granting summary judgment to defendant Pointe
4 Conception Medical, Inc. ("Defendant") on Plaintiff's claim for infringement of
5 U.S. Patent No. 7,212,227 and on Defendant's counterclaim for declaratory
6 judgment of non-infringement of U.S. Patent No. 7,212,227; and granting
7 summary judgment to Defendant on Plaintiff's trademark claims for (1) trademark
8 infringement in violation of the Lanham Act, 15 U.S.C. §1114, (2) federal unfair
9 competition and false designation of origin in violation of the Lanham Act, 15
10 U.S.C. §1125, (3) common law trademark infringement; (4) unfair business
11 practices under California's unfair competition law ("UCL"), Cal. Bus. & Prof.
12 Code § 17200 et seq., and (5) common law unfair competition; and

13 Pursuant to the Court's August 1, 2011 Minute Order exercising its
14 discretion to dismiss PCM's counterclaims of invalidity and unenforceability
15 without prejudice to reinstating them in the event that the Court's Order on the
16 patent infringement claim is reversed on appeal:

17 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant
18 shall have judgment in its favor against Plaintiff on all of Plaintiff's Claims and on
19 Defendant's counterclaim for Declaratory Judgment of Noninfringement of U.S.
20 Patent No. 7,212,227.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Plaintiff
22 take nothing and that Defendant shall have its costs of suit.

23 IT IS SO ORDERED.

24 Dated: September 6, 2011

By: _____


Gary Allen Feess
United States District Judge

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