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FOCUS MICROWAVES INC.

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

MAURY MICROWAVE, INC., a  
California corporation,

Plaintiff,

v.

FOCUS MICROWAVES INC., a  
Canadian corporation also known as  
Focus Micro Ondes Inc.,

Defendant.

Case No. CV 10-3902 MMM (JCGx)

**[PROPOSED] FINAL JUDGMENT  
AND PERMANENT INJUNCTION**

Hon. Margaret M. Morrow

AND RELATED COUNTERCLAIMS.

1           WHEREAS, the Court entered its CLAIM CONSTRUCTION ORDER on  
2 July 30, 2012 (D.I. 227); and

3           WHEREAS, the Court entered its ORDER ON MOTIONS FOR SUMMARY  
4 JUDGMENT on July 30, 2012 (D.I. 228); and

5           WHEREAS, Plaintiff and Counter-Defendant Maury Microwave, Inc.  
6 (“Maury”) and Defendant and Counterclaimant Focus Microwaves Inc. (“Focus”)  
7 have stipulated to entry of final judgment.

8           **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that  
9 the following Final Judgment and Permanent Injunction in favor of Maury and  
10 against Focus is hereby granted:

11           1.       This Court has jurisdiction over the subject matter of this action  
12 under the laws of the United States concerning actions relating to federal questions,  
13 28 U.S.C. § 1331, and patents, 28 U.S.C. § 1338(a), and under the Federal  
14 Declaratory Judgments Act, 28 U.S.C. §§ 2201, 2202.

15           2.       Venue is proper in this district under 28 U.S.C. §§ 1391(b), (c),  
16 and (d).

17           3.       The Court has personal jurisdiction over the parties.

18           4.       Based upon this Court’s Claim Construction Order [D.I. 227],  
19 this Court held that Maury has not infringed any claim of Focus’ U.S. Patent  
20 No. 6,674,293 (“the '293 patent”) as a result of making, using, offering for sale,  
21 selling, importing, initializing, or calibrating the Series MT982M tuner.

22           5.       Based upon this Court’s Claim Construction Order, this Court  
23 held that Maury has not infringed any claim of Focus’ U.S. Patent No. 7,034,629  
24 (“the '629 patent) as a result of making, using, offering for sale, selling, importing,  
25 initializing, or calibrating the Series MT982M tuner.

26           6.       Based upon this Court’s Claim Construction Order, this Court  
27 held that the '629 patent, and each of its claims, is invalid.

28

1           7.     Based upon this Court’s Claim Construction Order, this Court  
2 held that Focus has infringed claim 1 of Maury’s U.S. Patent No. 7,548,069 (“the  
3 ‘069 patent”) as a result of its offer for sale to Northrop Grumman.

4           8.     Focus, its officers, agents, servants, employees, subsidiaries,  
5 assignees, and acquirers, and those persons in active concert or participation with  
6 them, are permanently enjoined from making, using, offering for sale, or selling an  
7 IV probe or wave probe in the United States, or importing an IV probe or wave  
8 probe into the United States, whether individually or as part of another device,  
9 effective immediately and until the expiration of claim 1 of the ‘069 patent by  
10 termination, lapse, abandonment, a final, non-appealable declaration of invalidity or  
11 other means.

12           9.     In the event that claim 1 of the ‘069 patent expires, terminates, or  
13 lapses as provided in paragraph 8, this injunction shall no longer be in force. Maury  
14 Microwave shall retain the right to sue for infringement of any unexpired claims in  
15 the ‘069 patent.

16           10.    Maury’s claim for a declaratory judgment of invalidity  
17 respecting the ‘293 patent is dismissed, without prejudice.

18           11.    Maury’s claim for induced infringement respecting the ‘069  
19 patent is dismissed, without prejudice.

20           12.    The Court shall have continuing jurisdiction to enforce the terms  
21 of this Final Judgment and Permanent Injunction.

22           13.    Each party shall bear its own attorneys’ fees incurred in  
23 connection with this action. Costs in the amount of \$15,000.00 shall be allowed to  
24 Maury as the prevailing party.

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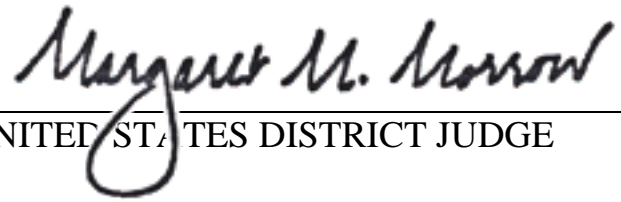
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14. This Final Judgment disposes of all remaining claims in this case.

Dated: August 30, 2012

  
UNITED STATES DISTRICT JUDGE

Presented by:  
SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By /s/ Darren M. Franklin  
Darren M. Franklin  
Attorneys for Plaintiff and Counter-Defendant  
MAURY MICROWAVE, INC.