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 9 and H. Peter Greene, Jr.

10 **UNITED STATES DISTRICT COURT**
 11 **CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION**

12 SPIN MASTER LTD., a Canadian
 13 corporation; LEONARD R. CLARK, JR.,
 14 an individual; and H. PETER GREENE,
 15 JR., an individual

16 Plaintiffs,

17 vs.

18 GEOSPACE PRODUCTS COMPANY,
 19 INC., a Washington corporation, and
 20 DENNIS BINKLEY, an individual,

21 Defendants.

22 **JS-6**

23 CASE NO. CV11-2843 CAS (JCx)

24 **PERMANENT INJUNCTION**

25 **Stipulation for Entry of Permanent
 26 Injunction and Dismissal Filed
 27 Concurrently Herewith**

28 **Judge:** Hon. Christina A. Snyder

[PROPOSED] PERMANENT INJUNCTION

1 Having considered the Stipulation for Entry of a Permanent Injunction and
2 Dismissal of Action submitted by Plaintiffs Spin Master Ltd., Leonard R. Clark Jr., and
3 H. Peter Greene (collectively, "Plaintiffs") and Defendants Geospace Products Company,
4 Inc. and Dennis Binkley (collectively, "Defendants"):

5 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:**

6 1. Except as provided in paragraph 2, Defendants, their successors, assigns,
7 owners, principals, partners, shareholders, officers, directors, agents, servants,
8 employees, any and all persons acting in concert or participation with Defendants are
9 immediately and permanently enjoined from:

10 a. Making, using, selling, offering for sale, importing into the United
11 States, marketing, reproducing, distributing, receiving, forwarding, shipping, displaying
12 (on websites or otherwise), or in any way commercially exploiting the "R/C Gecko" as
13 depicted in **Exhibit 1**, or any other toy car that is a copy of or substantially similar to the
14 car protected by U.S. Copyright Registration No. VA 1-645-949;

15 b. Making, using, selling, offering for sale, importing into the United
16 States, marketing, reproducing, distributing, receiving, forwarding, shipping, displaying
17 (on websites or otherwise), or in any way commercially exploiting any toy cars that
18 infringe one or more claims of U.S. Patent No. 7,753,755, including but not limited to,
19 the "R/C Gecko" or "R/C Gecko 2.0" depicted in **Exhibits 1 - 2**;

20 c. Assisting, aiding or abetting another person or business entity in
21 engaging in or performing any of the activities enumerated in subparagraphs (a) through
22 (b) above.

23 2. Defendants shall have until September 30, 2011 to sell their remaining
24 inventory of the "R/C Gecko 2.0" consisting of approximately 3,500 units. Defendants
25 shall cease any sale, offer for sale, advertisement, or display of the "R/C Gecko 2.0" on
26 October 1, 2011.

27 3. This Court has personal jurisdiction over the parties with respect to this
28 Civil Action and this Stipulated Permanent Injunction.

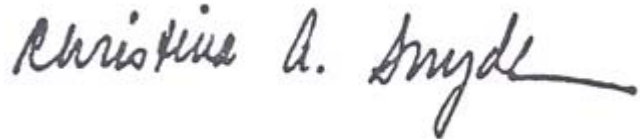
1 4. This Court has jurisdiction over the subject matter of this Civil Action.

2 5. Each party shall bear its own attorney's fees and costs in connection with
3 this action; provided, however, that in the event any party files a motion, action or other
4 proceeding to enforce or interpret the terms of this Stipulated Permanent Injunction or the
5 Settlement Agreement, the prevailing party shall be entitled to recover all attorney's fees
6 and other fees and costs incurred in connection with such a motion, action or
7 enforcement proceeding.

8 6. This Court retains jurisdiction over this matter and to the extent necessary to
9 interpret or enforce this Stipulated Permanent Injunction and to determine any issues
10 which may arise concerning this Stipulated Permanent Injunction or the Settlement
11 Agreement.

12 7. Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), all claims in this
13 Civil Action are hereby dismissed with prejudice.

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15 **IT IS SO ORDERED.**



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17 DATED: August 25, 2011

18 Honorable Christina A. Snyder
19 U.S. District Court
20 Central District of California
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