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Attorneys for Plaintiff Drop Stop LLC

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

13 DROP STOP LLC,
 14 *a California Limited Liability*
 15 *Company,*

Plaintiff,

v.

17 JIAN QING “JOHNNY” ZHU, *an*
 18 *individual*; ZAKE
 19 INTERNATIONAL INC., *an*
 20 *Indiana Corporation*; ZAKE USA,
 21 *an unincorporated entity*; 3BTECH,
 22 INC., *an Indiana Corporation*;
 23 SHENZHEN ZHOUWU
 24 TECHNOLOGY CO., LTD., *a*
 25 *Chinese Limited Company*; and
 26 TAIWU KEJI CO., LTD., *a Chinese*
 27 *Limited Company.*

Defendants.

Case No. 2:16-cv-07916 AG(SSx)

FINAL JUDGMENT

Judge: Hon. Andrew J. Guilford

1 The Court, having considered the Parties' Revised Joint Stipulation for Entry
2 of Final Judgment submitted, hereby enters Final Judgment as follows:

3 1. Judgment is entered in favor of Drop Stop with respect to its claims for
4 direct and indirect infringement of claims 8, 10-14 and 16-18 (the "Asserted Claims")
5 of the '291 Patent.

6 2. Each Asserted Claim of the '291 Patent is valid and enforceable;

7 3. Defendants' defenses and counterclaims are dismissed with prejudice,
8 including without limitation Defendants' counterclaims for declaratory relief of non-
9 infringement and invalidity with respect to the '291 Patent;



16 4. The accused products identified in the First Amended Complaint, (Dkt.
17 No. 63), including the exemplary product (pictured above), or any insubstantial
18 derivation thereof, are covered by and infringe each Asserted Claim of the '291
19 Patent;

20 5. Defendants, their officers, directors, members, agents, servants,
21 employees, and/or attorneys, as well as any others in active concert or participation
22 with any of the foregoing who receive actual notice of this Judgment by personal
23 service or otherwise, are preliminarily and permanently enjoined from making, using,
24 offering for sale, selling, importing into the United States or selling for importation
25 into the United States any Car Seat Gap Filler, as defined below, to the full extent
26 afforded under Fed. R. Civ. P. 65(d). The foregoing entities and individuals are also
27 preliminarily and permanently enjoined from assisting, aiding, or abetting any
28

1 violation of this injunction by any person or business entity subject to the injunction
2 to the full extent afforded under Fed. R. Civ. P. 65(d).

3 6. The injunction shall encompass any Car Seat Gap Filler, which includes
4 any and all of the following:

- 5 a. The exemplary product depicted above;
- 6 b. Any car seat gap filler sold under the ChiTronic® name;
- 7 c. Any car seat gap filler offered through the Also Popular Amazon.com
8 platform;
- 9 d. Any car seat gap filler made, sold, offered for sale, imported into the
10 United States, or sold for importation into the United States by any of
11 the Defendants, their officers, directors, members, agents, servants,
12 employees, and/or attorneys, as well as any others in active concert or
13 participation with any of the foregoing who receive actual notice of this
14 Judgment by personal service or otherwise;
- 15 e. Any car seat gap fillers that are substantially similar to those described
16 in subsections 6(a) through 6(d) above;
- 17 f. An apparatus adapted to be disposed in an automotive vehicle between a
18 seat and a central console of the automotive vehicle, comprising an
19 elongated member including a casing having a top, a bottom, and a pair
20 of opposed first and second sides, the casing enclosing a core, the first
21 side adapted to abut the seat and the second side adapted to abut the
22 central console, the elongated member configured to slide along the
23 central console during longitudinal motion of the seat; and a slot
24 encircled by the casing and the core, and extending between the bottom
25 and top of the elongated member in a generally vertical attitude normal
26 to both the bottom and the top and aligned longitudinally when placed in
27 the vehicle and adapted to receive a seatbelt component having one end
28 anchored to a side of the seat, wherein the slot provides engagement to

1 the seatbelt component when properly positioned adjacent the car seat to
2 permit the elongated member to slide along the central console during
3 longitudinal motion of the seat, wherein the slot is generally oval in
4 shape when engaged with the seatbelt component.;

5 g. An apparatus for use in an automotive vehicle having a central console
6 extending alongside a seat, comprising an elongated member including a
7 casing of a first material enclosing a core of a second material having a
8 first portion adapted to be pressed against the central console positioned
9 adjacent to the seat, and a second portion adapted to be pressed against
10 the seat when the elongated member is positioned in a gap defined
11 between the central console and the seat; and a slot extending through
12 the casing and the core of the elongated member, and adapted to receive
13 a safety belt receiving component having a first end coupled to the seat
14 and a second free end, wherein the slot is configured to allow the free
15 end of the safety belt receiving component to pass through the slot and
16 wherein the slot is conformable around the safety belt receiving
17 component, and wherein the slot provides engagement to the safety belt
18 receiving component when properly positioned adjacent to the seat,
19 wherein the slot has an open configuration when engaged with the safety
20 belt receiving component and a partially closed configuration when
21 disengaged from the safety belt receiving component.;

22 h. Any apparatus that performs substantially the same function, in
23 substantially the same way, to achieve substantially the same result as
24 any those described in subsections 6(f) through 6(g), or if the differences
25 over the apparatuses described in 6(f) through 6(g) are insubstantial;
26 and/or

27 i. Any other apparatus that is covered by any Asserted Claim of the '291
28 Patent, either literally or under the doctrine of equivalents.

1 7. After entry of Final Judgment, Drop Stop may file a motion for
2 attorneys' fees and costs within the time set forth in Fed. R. Civ. P. 54(d), and the
3 Court will retain jurisdiction to consider such motion, including to make any and all
4 factual findings (*e.g.*, willfulness, litigation misconduct, exceptional case) related to
5 such a finding.

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7 **IT IS SO ORDERED.**

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9 Dated: November 1, 2017



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11 By _____

12 Hon. Andrew J. Guilford
13 United States District Judge
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