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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

INTERNATIONAL MEDICAL  
DEVICES, INC.; *et al.*,

Plaintiffs,

v.

ROBERT CORNELL, MD, an  
individual; *et al.*,

Defendants.

Case No.: 2:20-cv-03503-CBM (RAOx)

**PERMANENT INJUNCTION**

The Court having granted Plaintiffs’ Motion for a Permanent Injunction issues the following injunction:

1. For a period of **five (5) years** upon entry of this Permanent Injunction, Defendants Robert J. Cornell; Cornell P.A; Augmenta, LLC; Augmenta Investors, LLC ; Cornell Cosmetic Urology, LLC ; David Louis Nichols; Huck Medical Technologies, Inc.; Hans Mische; Hans Mische, LLC; Run Wang, M.D.; and Richard B. Finger, and their members, officers, directors, agents, servants, successors, licensees, partners and employees, shall be and hereby are, effective immediately, permanently enjoined, without the prior written authorization or consent from Plaintiffs, from using, licensing, selling,

1 exploiting, commercializing, promoting, marketing, advertising, publishing,  
2 and/or profiting from any of the following trade secrets:

- 3 a. The incorporation of internal pockets or voids of space within the  
4 silicone body of a cosmetic penile silicone implant to add softness and  
5 elasticity.
- 6 b. The incorporation of mesh tabs embedded in or around the distal tip of a  
7 cosmetic penile implant to facilitate tissue ingrowth.
- 8 c. The use of absorbable sutures as part of the cosmetic silicone penile  
9 implant procedure paired or in combination with mesh tabs embedded  
10 in and around the distal tip of the implant to hold the implant.
- 11 d. A particular list of instruments and materials used to perform the  
12 surgical method associated with the placement of a cosmetic penile  
13 implant referred to as the Penuma Instrument and Supply List.

14 2. For a period of **ten (10) years** beginning upon entry of this Permanent  
15 Injunction, Defendants Cornell, Mische, and Nichols and their members,  
16 officers, directors, agents, servants, successors, licensees, partners and  
17 employees, shall be and hereby are, effective immediately, enjoined from  
18 infringing, by unauthorized use, and inducing copyright infringement, by  
19 unauthorized use or any other means, of any of Plaintiff James Elist, M.D.'s  
20 exclusive rights in his registered copyrighted work entitled "Penile  
21 Enlargement Surgical Animation Video" including but not limited to direct  
22 copyright infringement, inducement to infringe copyrights, contributory  
23 copyright infringement, and vicarious copyright infringement.

24 3. For a period of **ten (10) years** beginning upon entry of this Permanent  
25 Injunction, Defendants Cornell and Cornell P.A., and their members, officers,  
26 directors, agents, servants, successors, licensees, partners and employees,  
27 effective immediately, enjoined from any unauthorized use of the Penuma  
28 Mark and are further enjoined from infringing or from inducing infringement,

1 by any means, of any of the exclusive rights in the registered Penuma Mark  
2 owned and possessed by Plaintiff Menova, under the Lanham Act. The  
3 conduct enjoined includes, but is not limited to, direct trademark infringement,  
4 trademark counterfeiting, inducement to infringe trademarks, contributory  
5 trademark infringement, and vicarious trademark infringement.

- 6 4. For a period of **ten (10) years** from the date of entry of this Permanent  
7 Injunction, Defendants are enjoined from engaging in the following conduct:
- 8 a. Referencing, mentioning, promoting, advertising, marketing, and/or  
9 using the Penuma Mark in commerce, including but not limited to, on  
10 any website or social media or network; and
  - 11 b. Acting in a way likely to cause confusion, mistake, or deception on the  
12 part of consumers as to the origin, ownership, or sponsorship of  
13 Penuma.
- 14 5. Violation of this Permanent Injunction shall expose Defendants and all other  
15 persons bound by this Permanent Injunction to all applicable penalties,  
16 including sanctions and contempt of Court.
- 17 6. The lifting of this Permanent Injunction is conditioned upon full payment of  
18 the damages ordered by this Court in the Order re Motion for Award of  
19 Reasonable Royalties, Disgorgement, Statutory Damages, Prejudgment  
20 Interest, and Exemplary Damages.
- 21 7. This Court shall retain jurisdiction to modify and/or enforce this Permanent  
22 Injunction, which may also be enforced by any other court of competent  
23 jurisdiction.

24 **IT IS SO ORDERED.**

25  
26 DATED: March 28, 2024.

  
27 CONSUELO B. MARSHALL  
28 UNITED STATES DISTRICT JUDGE