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

CREE, INC., et al.,
Plaintiff,
v.
LEDWISE TECHNOLOGY, INC., et al.,
Defendants.

Case No.: 8:16-cv-02279 AG (DFMx)

**PERMANENT INJUNCTION
AGAINST DEFENDANTS
LEDWISE TECHNOLOGY, INC.,
LEDWISE, INC., SHUIWEN LI,
KEVIN LEE and ELETA
TECHNOLOGY, INC. AND
DISMISSAL, WITH PREJUDICE**

Honorable Judge Andrew J. Guilford

The Court, pursuant to the Stipulation for Entry of Permanent Injunction and Dismissal, between Plaintiff Cree, Inc. (“Plaintiff”), on the one hand, and Defendants LEDwise Technology, Inc., LEDwise, Inc., ShuiWen Li, Kevin Lee and Eleta Technology, Inc. (“Defendants”), on the other hand, hereby ORDERS, ADJUDICATES and DECREES that a permanent injunction shall be and hereby is entered against Defendants as follows:

1 1. **PERMANENT INJUNCTION.** Defendants and any person or entity
2 acting in concert with, or at their direction, including any and all agents, servants,
3 employees, partners, assignees, distributors, suppliers, resellers and any others over
4 which they may exercise control, are hereby restrained and enjoined, pursuant to
5 15 United States Code (“U.S.C.”) §1116(a), from engaging in, directly or
6 indirectly, or authorizing or assisting any third party to engage in, any of the
7 following activities:

8 (i) copying, manufacturing, importing, exporting, purchasing,
9 marketing, advertising, offering for sale, selling, receiving, storing, fulfilling,
10 distributing or dealing in any product or service that uses, or otherwise makes any
11 use of, any of Plaintiff’s intellectual properties, including but not limited to, the
12 **CREE®** word and design trademarks (Reg. Nos. 2,440,530; 2,452,761; 3,935,628;
13 3,935,629; 3,938,970; 4,026,756; 3,935,630; 3,935,631; 3,938,971; 2,922,689;
14 3,998,141; 3,998,142; 4,233,855; 4,234,124; 4,641,937; 4,597,310; 4,597,311;
15 4,767,107; 4,771,402; 4,787,288), **CREE LEDS®** word and design trademarks
16 (Reg. Nos. 3,360,315; 4,558,924), **CREE LED LIGHT®** word and design
17 trademarks (Reg. No. 3,327,299), **CREE LED LIGHTING®** word and design
18 trademarks (Reg. Nos. 3,891,756; 3,891,765), **CREE LED LIGHTING**
19 **SOLUTIONS®** word and design trademarks (Reg. No. 3,526,887), **CREE**
20 **TRUEWHITE®** word and design trademarks (Reg. Nos. 4,029,469; 4,091,530),
21 **CREE TRUEWHITE TECHNOLOGY®** word and design trademarks (Reg.
22 Nos. 4,286,398; 4,099,381), and the **XM-L™** word mark (Serial No. 87218890)
23 currently pending registration with the USPTO and affixed to Plaintiff’s Complaint
24 for Damages as **Exhibits A - EE** (ECF Dkt. 1, ¶40, Pages 8-13) (collectively,
25 “Plaintiff’s Intellectual Properties”);

26 (ii) using, advertising or displaying Plaintiff’s Intellectual
27 Properties to suggest that non-genuine CREE LEDs and/or LED lighting products,
28 including bulbs, flashlights and/or headlamps, have been manufactured, sponsored

1 or endorsed by Plaintiff or an authorized licensee of Plaintiff; and/or

2 (iii) owning or controlling any Internet domain name, website or
3 auction ID that uses any of Plaintiff's Intellectual Properties in advertising.

4 2. This Permanent Injunction shall be deemed to have been served upon
5 Defendants at the time of its execution by the Court.

6 3. The Court finds there is no just reason for delay in entering this
7 Permanent Injunction against Defendants, and the Court directs immediate entry of
8 this Permanent Injunction against Defendants.

9 4. **NO APPEALS AND CONTINUING JURISDICTION.** No
10 appeals shall be taken from this Permanent Injunction, and the parties waive all
11 rights to appeal. This Court expressly retains jurisdiction over this matter to
12 enforce any violation of the terms of this Permanent Injunction by Defendants.

13 5. **NO FEES AND COSTS.** Each party shall bear its/his own attorneys'
14 fees and costs incurred in this matter.

15 6. **DISMISSAL OF ACTION.** Upon entry of this Permanent Injunction
16 against Defendants, the case shall be dismissed, with prejudice, in its entirety.

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18 IT IS SO ORDERED, ADJUDICATED and DECREED this 17th day of
19 May, 2017.



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22 HON. ANDREW J. GUILFORD
23 United States District Judge
24 Central District of California
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