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8 Attorneys for STATIC CONTROL COMPONENTS, INC.

9 IN THE UNITED STATES DISTRICT COURT
 10 FOR THE CENTRAL DISTRICT OF CALIFORNIA
 11 SOUTHERN DIVISION

12 ASTER GRAPHICS, INC.
 13 Plaintiff,
 14 v.
 15 STATIC CONTROL COMPONENTS,
 16 INC.,
 17 Defendant.

Case No. 8:17-cv-01167-DOC-JDE
 Consolidated with 8:17-cv-01221-DOC-
 JDE

**FINAL STIPULATION AND
 CONSENT JUDGMENT TO
 PERMANENT INJUNCTION [77]**

Ctrm: 9D, 9th Floor
 Judge: Honorable David O. Carter

1 Plaintiff Aster Graphics, Inc. and (“Aster” or “Plaintiff”) and Defendant Static
2 Control Components, Inc. (“SCC” or “Defendant”), having reached a settlement
3 agreement and stipulated to this Judgment, it is ORDERED, ADJUDGED and DECREED
4 that:

- 5 1. This Court has personal jurisdiction over the Parties;
- 6 2. This Court has jurisdiction over the subject matter in issue;
- 7
8 3. SCC is the owner by assignment of the entire right, title, and interest in and
9 to United States Patent No. 9,599,949 entitled “Photosensitive Process
10 Cartridge With Driving Force Receiver” and United States Patent No;
11 9,671,742 entitled “Process Cartridge Having A Control Mechanism For A
12 Driving Mechanism” (collectively the “Asserted Patents”);
- 13 4. Aster acknowledges that the Asserted Patents are valid and enforceable;
- 14 5. SCC asserted claims for infringement of the Asserted Patents against Aster
15 based on Aster’s manufacture, importation, offer for sale, sale, in the United
16 States of the Aster products with the following part numbers: AM-
17 H0255AU, AM-H0255XU, AM-H0280AU, AM-H0280XU, AM-
18 H0280XJU, AM-H0505A, AM-H0505AJ, AM-H0505X/XC, AM-H0505XJ,
19 AP-HF226A, AM-C0119A, AM-C0119XC, AM-H0255XJU, AP-HF287A,
20 AP-HF-287X, and/or AP-HF226X (collection the “Accused Aster
21 Products”).
- 22
23 6. “Substantially Similar Aster Products” shall mean any Aster products that are
24 substantially the same in structure and design to the Accused Aster Products
25 with respect to the features of the Accused Aster Products identified by SCC
26 in the claim charts attached to its First Amended Complaint (ECF No. 23) in
27 Case No. 8:17-cv-01221-DOC-JDE and in SCC’s infringement contentions
28 served on Aster on December 4, 2017;

- 1 7. “Affiliates” of a Party or other legal entity means a business entity, including
2 without limitation entities organized as corporations, partnerships, limited
3 liability partnerships and limited liability companies, that currently or in the
4 future, controls, is controlled by, or is under common control of or with a
5 Party or legal entity. The phrase “controls, is controlled by, or is under
6 common control with” means the possession, directly or indirectly, of the
7 power to direct or cause the direction of the management and policies of such
8 entity, whether through ownership of voting securities (as to which
9 ownership of 50% or more establishes control) or other interests, by contract
10 or otherwise. Notwithstanding the foregoing, in any country where a Party or
11 legal entity is not permitted by law to own fifty percent (50%) or more of the
12 share of a local company, the local company shall be deemed an Affiliate of
13 that Party or legal entity for purposes of this Agreement if such Party or legal
14 entity has or controls, directly or indirectly, the maximum legally allowed
15 ownership interest in such local company;
- 16 8. Pursuant to the terms set forth in the Settlement Agreement, Aster and its
17 Affiliates are permanently enjoined from importing, manufacturing, selling
18 or offering to sell any Accused Products or Substantially Similar Aster
19 Products into the United States until the last to expire of the Asserted Patents
20 or all asserted claims of the Asserted Patents in this Action are found or
21 adjudicated invalid or unenforceable by a court of competent jurisdiction;
- 22 9. This Court shall maintain continuing jurisdiction to enforce this Consent
23 Judgment and all parties hereby agree that service or notice of any further
24 proceedings may be accomplished under Rule 4(d) of the Federal Rules of
25 Civil Procedure;
- 26 10. This Consent Judgment may be executed in counterparts, each of which shall
27 be deemed to constitute an original counterpart hereof, and all of which shall
28

1 together constitute one and the same Consent Judgment. One or more
2 counterparts of this Consent Judgment may be delivered by facsimile or
3 electronic transmission with the intent that it, or they, shall constitute an
4 original counterpart hereof; and

- 5 11. All claims and/or counterclaims asserted by Plaintiff and Defendant are
6 dismissed without prejudice, with each Party to bear its own costs, expenses
7 and attorney's fees.
8

9 Static Control Components, Inc.

10
11
12 By: WMLH

13 Title: Vice President

14 Date: 6-6-18
15

16 Aster Graphics, Inc.

17
18
19 By: [Signature]

20 Title: President

21 Date: 6/5/2018
22
23

24 **SO ORDERED.**

25 Dated: June 7, 2018

26 David O. Carter

27 DAVID O. CARTER
28 U.S. District Judge

