

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

THOMAS T. AOKI, M.D., an individual, and
AOKI DIABETES RESEARCH INSTIUTE,
a California Non-Profit Corporation,

Case No.: 2:11-cv-02797-TLN-CKD

ORDER FOR PERMANENT INJUNCTION

Plaintiffs

vs.

GREGORY FORD GILBERT, an individual;
et al.

Defendants

IT IS HEREBY ORDERED, this ___ day of January 2021 that:

1. The Court has found that Defendants Gregory Ford Gilbert, Bionica, Inc., and Trina Health, LLC have willfully infringed the following valid and enforceable United States Patents: No. 6,579, 531 (“531 Patent”); No. 6,582,716 (“716 Patent”); No. 6,613,342 (“342 Patent”); No. 6,613,736 (“736 Patent”); No. 6,821,527 (“527 Patent”); and No. 6,967,191 (“191 Patent”). Therefore, Defendants Gregory Ford Gilbert, Bionica, Inc., Trina Health, LLC, their officers, agents, servants, employees, attorneys, and all those persons acting in concert or participating with them who receive actual notice of this injunction, shall be and are hereby ENJOINED and RESTRAINED from infringing the ‘531, ‘716, ‘342, ‘736, ‘527, or ‘191 Patents by making, using, selling, offering for sale or importing into the United States, Plaintiff Dr. Thomas T. Aoki’s Metabolic Activation Therapy (“MAT®”) treatment which is or has also been administered at least under such names as Artificial Pancreas Treatment (APT), Artificial Pancreas System (APS), Cellular Activation Therapy (CAT), Microburst Insulin (MI), Microburst Insulin Infusion (MII), Microburst Insulin Therapy (MIT), Trina Health Diabetic Treatment, Chronic Intermittent Intravenous Insulin Therapy (CIIT), Hepatic Activation Therapy (HAT), Intercellular Activation Therapy (iCAT), Pulsatile Insulin Therapy (PIT), Pulsatile Intravenous Insulin Treatment (PIVIT), Pulsatile Insulin Therapy (PIT), Pulsatile Therapy (PT), and The Intravenous Insulin Infusion Therapy (altogether hereinafter, “Enjoined Treatments”), as well as any

1 treatment that is not more than colorably different from the Enjoined Treatments. Furthermore,
2 Defendants Gregory Ford Gilbert, Bionica, Inc., Trina Health, LLC, their officers, agents, servants,
3 employees, attorneys, and all those persons acting in concert or participating with them who receive
4 actual notice of this injunction, shall be and are hereby ENJOINED and RESTRAINED from inducing
5 or contributing to infringement of the '531, '716, '342, '736, '527, or '191 Patents by others.

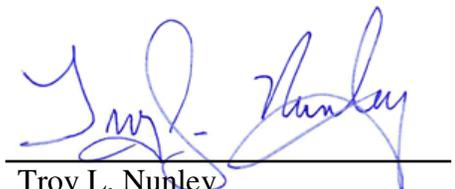
6 2. Defendants Gregory Ford Gilbert, Bionica, Inc., Trina Health, LLC, their officers, agents,
7 servants, employees, attorneys, and all those persons acting in concert or participating with them who
8 receive actual notice of this injunction, shall be and are hereby ENJOINED and RESTRAINED from
9 selling, advertising, promoting or marketing any product or service associated with or bearing the MAT®
10 mark in the United States.

11 3. Defendants Gregory Ford Gilbert, Bionica, Inc., Trina Health, LLC, their officers, agents,
12 servants, employees, attorneys, and all those persons acting in concert or participating with them who
13 receive actual notice of this injunction, shall be and are hereby ENJOINED and RESTRAINED from
14 reproducing or distributing any copies of Dr. Aoki's copyrighted slides of his MAT® presentation,
15 copyright registration number TXu001772019 dated August 23, 2011.

16 4. This Court shall retain jurisdiction of this matter for the purposes of enforcing the terms
17 of this Order for Permanent Injunction.

18 IT IS SO ORDERED.

19 DATED: January 13, 2021

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23 Troy L. Nunley
United States District Judge