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16 Attorneys for Defendants
17 William Lasell; American Die and Rollforming, a
18 California Corporation and Artesian Home Products,
19 a California Corporation dba Valor Gutter Guard and
20 Counterclaimants

21 UNITED STATES DISTRICT COURT
22 FOR THE EASTERN DISTRICT OF CALIFORNIA

23 GUTTERGLOVE INC., a California
24 Corporation,

25 Plaintiff,

26 vs.

27 WILLIAM LASELL, an individual,
28 AMERICAN DIE AND ROLLFORMING
a California Corporation; and VALOR
GUTTER GUARD

Defendants.

Case No. 2:17-CV-01372-WBS-CKD

**STIPULATION FOR JUDGMENT AND
JUDGMENT**

Action Filed: June 30, 2017
Judge: Honorable William B. Shubb

1 Plaintiff Gutterglove, Inc. (“Gutterglove”), Defendants William Lasell, an individual,
2 (“Lasell”) Artesian Home Products, a California Corporation, (“Artesian”) American Die and
3 Rollforming, a California Corporation (“ADR”) (collectively, Lasell, Artesian and ADR constitute
4 “Defendants”) and Counterclaimants Chris Tatasciore, Lawrence Dumm and Slate E. Bryer
5 (individuals and collectively the “ADR Inventors”) (collectively Gutterglove, Defendants and the
6 ADR Inventors constitute the “Parties”), hereby consent to the resolution of the above-captioned
7 case through the instant Stipulated Judgment (“Judgment”), based upon the terms and conditions as
8 follows:
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10 1. Gutterglove is the owner of U.S. Patent No. 9,834,936 (the “’936 Patent”) as well as
11 all related patents and applications thereof including but not limited to: U.S. Patent No. 9,976,309,
12 issued May 22, 2018, entitled “Gutter Debris Preclusion Device With Multiple Manipulations and
13 Patterns Thereof” (the “’309 Patent”), and any parent applications, continuations, continuations-in-
14 part, divisionals, and re-issues, or foreign counterpart patents or applications (“the ’936 Patent
15 Family”);
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17 2. Defendants ADR and Artesian in their First Amended Answer (the “FAA”) (Dkt. # 80) to
18 the Plaintiff’s Second Amended Complaint (“SAC”) (Dkt #20), have alleged a counterclaim for relief
19 from the ‘936 Patent Family, seeking a judicial declaration that the ‘936 Patent Family is invalid and
20 unenforceable on the grounds of alleged inequitable conduct before the United States Patent and
21 Trademark Office. This counterclaim for relief sought to resolve an existing dispute concerning the
22 effect of the ‘936 Patent Family upon U.S. Patent No. 9,284,735, which had been placed at issue by
23 Gutterglove in its First Claim for Relief in its Second Amended Complaint on file herein, wherein
24 Gutterglove sought a correction of inventorship of U.S. Patent No. 9,284,735.
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26 3. Gutterglove, the Defendants and the ADR Inventors have reached an agreement to
27 resolve the pending disputes, and in furtherance of that settlement agreement, among other things,
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1 Gutterglove is willing, without admitting the allegations in the counterclaim, to consent to declaratory
2 judgment herein invalidating and rendering unenforceable the '936 Patent Family as requested, in part, in
3 the First Amended Answer and Counterclaim (Dkt. No. 80) to the Second Amended Complaint.

4 4. Gutterglove acknowledges and agrees that the terms of this Judgment are valid, binding
5 and enforceable in any jurisdiction in the United States, to the fullest extent of any and all applicable
6 laws related thereto.

7 5. Gutterglove expressly waives the right to appeal this Judgment both as to form or
8 content.

9 6. Should the Court find this Judgment deficient in any way, the Parties agree to cooperate
10 with each other to take whatever steps are necessary to render this Judgment effective.

11 7. This Court shall retain jurisdiction over the Parties, to enforce this Judgment, or enter any
12 further relief, until there is full performance of the terms hereof.

13 8. All Parties will bear their own costs and attorney fees.

14 9. The Parties request that pursuant to 35 U.S.C. § 290, the Court provide notice to the
15 United States Patent and Trademark Office of the pendency and disposition of this action concerning
16 U.S. Patent No. 9,834,936 and U.S. Patent No. 9,976,309.
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20 **IT IS SO AGREED AND STIPULATED:**
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Dated: November 9, 2018

KUTAK ROCK LLP

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GUTTERGLOVE, INC. and on behalf of
Robert Lenney

Dated: November 9, 2018

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WILLIAM LASELL, AMERICAN DIE
AND ROLLFORMING AND
ARTESIAN HOME PRODUCTS AND
THE ADR INVENTORS

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Dated: November 9, 2018

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IT IS SO ORDERED:

Pursuant to the above-referenced stipulation of the Parties to this action, Judgment is hereby entered declaring the entire '936 Patent Family invalid and unenforceable. All other claims of all Parties are dismissed with prejudice. The respective Parties hereto are to bear their own attorney's fees and costs.

Dated: November 13, 2018



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

