

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 06-cv-00619-LTB-MJW

PHILIP W. WYERS, a Colorado resident, and
WYERS PRODUCTS GROUP, INC., a Colorado corporation,

Plaintiffs,

v.

MASTER LOCK COMPANY, a Delaware corporation,

Defendant.

ORDER

On October 12, 2010, the United States Court of Appeals for the Federal Circuit denied Plaintiffs' Petition for Rehearing and Rehearing *En Banc* and ordered that its mandate issue on October 19, 2010. The Federal Circuit issued its mandate for enforcement of its July 22, 2010 decision in the appeal in this case wherein it reversed this Court's prior judgment in favor of the Plaintiffs.

On November 15, 2010 (Doc 347) upon Plaintiffs' Response to the Motion to Vacate Permanent Injunction (Doc 345) and Status Report (Doc 346), it was ordered that the Permanent Injunction previously entered is vacated and that the \$8.5 million bond posted with this Court following the Notice of Appeal is released. It was further ordered that the Defendant shall reply to Plaintiffs' request that the question of costs be deferred and the matter further stayed pending outcome of the Plaintiffs' Petition for Certiorari to the United States' Supreme Court.

Defendant filed its Reply (Doc 343) calling into question the timeliness of the Plaintiffs' Petition for Writ of Certiorari to the United States Supreme Court. Being sufficiently advised

IT IS ORDERED that judgment enter against the Plaintiff on their claims of Patent Infringement and in favor of Defendant's counterclaim for declaratory judgment finding that the patents-in-suit are invalid as a matter of law with costs to be awarded to the Defendant.

BY THE COURT:

s/Lewis T. Babcock
LEWIS T. BABCOCK, Judge

DATED: December 1, 2010