

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. 11-cv-02891-PAB-MJW

DAVID M. SHELTON and  
DESIGNSENSE, INC.,

Plaintiffs,

v.

MRIGLOBAL, a non-profit corporation, formerly Midwest Research Institute  
its National Renewable Energy Laboratory Division, and  
ALLIANCE FOR SUSTAINABLE ENERGY, LLC,

Defendants.

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**AMENDED FINAL JUDGMENT**

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In accordance with the orders filed during the pendency of this case, and pursuant to Fed. R. Civ. P. 58(a), the following Final Judgment is hereby entered.

I. Pursuant to the Order of Judge Philip A. Brimmer entered on September 28, 2012, it is

**ORDERED** that defendants' motion to dismiss [Docket No. 34] is GRANTED and that plaintiffs' Lanham Act and Copyright Act claims are dismissed for failure to state a claim. It is further

**ORDERED** that, pursuant to 28 U.S.C. § 1367(c)(3), plaintiffs' state law claims are dismissed without prejudice. Accordingly, it is further

**ORDERED** that this case is closed in its entirety.

II. Pursuant to the Order [Docket No. 70] of Judge Philip A. Brimmer entered on July 8, 2013 it is

**ORDERED** that defendants' Motion to Amend or Alter the Final Judgment and to Extend Deadline for Filing Bill of Costs and Motion for Recovery of Full Costs pursuant to 17 U.S.C. § 505 and Fed. R. Civ. P. 54(d) [Docket No. 66] is **GRANTED**.

Accordingly, it is

**FURTHER ORDERED** that the Final Judgment [Docket No. 64] is amended to reflect that defendants may have their costs upon filing a bill of costs. It is

**FURTHER ORDERED** that, within 14 days of this Order, defendants may file a bill of costs with the Clerk of the Court and a motion for recovery of full costs pursuant to 17 U.S.C. § 505. Defendant(s) is **AWARDED** its costs, to be taxed by the Clerk of the Court pursuant to Fed. R. Civ. P. 54(d)(1) and D.C.COLO.LCivR 54.1.

Dated at Denver, Colorado this 9th day of July, 2013.

FOR THE COURT:  
JEFFREY P. COLWELL, CLERK

By: s/Edward P. Butler

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Edward P. Butler  
Deputy Clerk