

AO 451 (Rev.12/93) Certification of Judgment

UNITED STATES DISTRICT COURT

DISTRICT OF Nevada

Nike, Inc.

V.

Lam Siu Fung and Air-Max Import & Export, Inc.

**CERTIFICATION OF JUDGMENT
FOR REGISTRATION IN
ANOTHER DISTRICT**

MC - ALTONAGA MAGISTRATE JUDGE
TURNOFF

Case Number: 2:06-CV-00164-PMP-LRL

07-21664

LANCE S WILSON

I, _____ Clerk of the United States district court certify that the

attached judgment is a true and correct copy of the original judgment entered in this action August 30, 2006, as it
Date

appears in the records of this court, and that

no notice of appeal has been filed, and no motion of any kind listed in Rule 4(a) of the Federal Rules of Appellate Procedure has been filed.

IN TESTIMONY WHEREOF, I sign my name and affix the seal of this Court.

FILED by SK D.C.
DKTG
JUN 29 2007
CLARENCE MADDOX
CLERK U.S. DIST. CT.
S. D. OF FLA. - MIAMI

June 11, 2007
Date

Clerk

(By) Deputy Clerk [Signature]

*Insert the appropriate language: ...“no notice of appeal from this judgment has been filed, and no motion of any kind listed in Rule 4(a) of the Federal Rules of Appellate Procedure has been filed.” ...“no notice of appeal from this judgment has been filed, and any motions of the kinds listed in Rule 4(a) of the Federal Rules of Appellate Procedure (^) have been disposed of, the latest order disposing of such a motion having been entered on [date].” ...“an appeal was taken from this judgment and the judgment was affirmed by mandate of the Court of Appeals issued on [date].” ...“an appeal was taken from this judgment and the appeal was dismissed by order entered on [date].”

(^Note: The motions listed in Rule 4(a), Fed. R. App. P., are motions: for judgment notwithstanding the verdict; to amend or make additional findings of fact; to alter or amend the judgment; for a new trial; and for an extension of time for filing a notice of appeal.)

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11

12 UNITED STATES DISTRICT COURT
13 DISTRICT OF NEVADA

14 NIKE, INC. ,)	Case No. 2:06-cv-00164-PMP-LRL [PROPOSED] AMENDED FINAL JUDGMENT BY DEFAULT PURSUANT TO FED. R. CIV. P. 55(b)
15 Plaintiff,)	
16 vs.)	
17 AIR-MAX IMPORT & EXPORT, INC.,)	
18 D/B/A AIR-MAX, AND LAM SIU FUNG)	
19 Defendants.)	

21 Having duly considered Plaintiff's motion for entry of final judgment, the Court hereby
22 enters this amended final judgment by default pursuant to Rule 55(b) of the Federal Rules of
23 Civil Procedure. The Court hereby amends the default judgment at the Plaintiff's request to add
24 additional details regarding the scope and nature of the seizure of the Defendants' infringing
25 products as required by the United States Marshals Service.
26

27 IT IS ORDERED that judgment is entered against Defendants for willfully infringing
28 NIKE's U.S. Patent Nos. D398,762, D398,771, D406,448, D406,691, D407,205, D407,548,

1 D407,551, D408,974, D408,986, D412,051, D413,196, D415,882, D420,501, D420,502,
2 D420,503, D420,505, D421,331, D424,798, D432,774, D432,777, D432,780, D433,216,
3 D453,065, D468,086, D473,044, D483,936, D483,937, D485,430, D485,672, D485,673,
4 D495,128, D497,709, D498,914, D499,243, D499,247, D499,248, and D500,585, in violation of
5 35 U.S.C. §§ 271(a) and (b).
6

7 IT IS FURTHER ORDERED that Defendants and their officers, directors, employees,
8 agents, and attorneys are hereby permanently enjoined from infringing Plaintiff's patents-in-suit
9 identified above, including but not limited to, making, using, offering to sell, selling or importing
10 into the United States the following infringing shoe models: AM006, AM015, AM022, AM037,
11 AM038, AM041, AM176, AM184, AM238, AM267, AM283, AM292, AM298, AM302,
12 AM400, AM509, AM524, AM556, AM-TPR-071, AM-PU-032, AM-PU-104, AM2630,
13 AM6708, 8350, 8410, 8610, 9418, 9430, 9438, DMP752, 22136, 2213X, and 22518, pursuant to
14 35 U.S.C. § 283 and Rule 65(d), Fed.R.Civ.P.
15

16 IT IS FURTHER ORDERED that Defendants' infringing shoe products, records
17 (including computers and electronic evidence) of Defendants' sales and offers to sell infringing
18 products, and Defendants' promotional display(s), sales equipment, and materials used to
19 facilitate Defendants' infringements (collectively, "Materials") shall be seized by the United
20 States Marshals Service at the booth rented or occupied by the Defendants at the World Shoe
21 Association trade show in Las Vegas, Nevada, during the period of August 1 through 4, 2006.
22 The United States Marshals Service may use all reasonable force in conducting the seizure and
23 may open doors, locks, boxes, brief cases, and containers of any type or nature to locate and
24 identify Materials to be seized. Attorneys and other representatives of Nike shall accompany the
25 United States Marshals Service during the seizure to identify the Materials to be seized. Nike's
26 counsel shall itemize and take possession of the seized Materials, provide a copy of the inventory
27
28

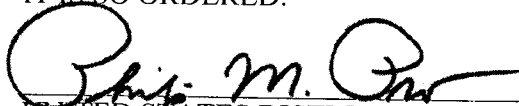
1 to the United States Marshals Service, and file the inventory with the Court. Nike agrees to
2 indemnify the United States Marshals Service and hold it harmless from any suit, claim, cause of
3 action, damage, loss, or injury arising from the execution of the seizure described in this Order.

4 IT IS FURTHER ORDERED that Plaintiff recover its reasonable attorneys' fees from the
5 Defendants pursuant to 35 U.S.C. § 285. Plaintiff shall file the information required by Local
6 Rule 54-16 in support of its fee award amount within fourteen (14) days after the date of this
7 Order.

8
9 IT IS FURTHER ORDERED that Plaintiff recover its reasonable costs from the
10 Defendants pursuant to Rule 54(d), Fed.R.Civ.P. Plaintiff shall file a bill of costs and
11 disbursements on the form provided by the clerk pursuant to Local Rule 54-1, no later than ten
12 (10) days after the date of this Order.

13
14 IT IS FURTHER ORDERED that this Court retains jurisdiction over the parties to the
15 extent necessary to enforce the terms of this Order and the injunctive relief provided herein.

16
17 IT IS SO ORDERED.

18 
19 UNITED STATES DISTRICT JUDGE

20 Date: July 28, 2006

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24 I hereby attest and certify on 6/11/07
25 that the foregoing document is a full, true
26 and correct copy of the original on file in my
27 legal custody.

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07-21664

JS 44 (Rev. 11/05)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September, 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.) NOTICE: Attorneys MUST Indicate All Re-filed Cases Below.

<p>I. (a) PLAINTIFFS Nike, Inc.</p> <p>(b) County of Residence of First Listed Plaintiff <u>Washington</u> (EXCEPT IN U.S. PLAINTIFF CASES)</p> <p>(c) Attorney's (Firm Name, Address, and Telephone Number) Michael W. O. Holihan, Holihan Law, 1101 North Lake Destiny Road, Suite 275, Maitland, Florida 32751; 407-660-8575</p> <p><i>1,2007 MC 21664/CMA/WCT</i></p> <p>(d) Check County Where Action Arose: <input checked="" type="checkbox"/> MIAMI-DADE <input type="checkbox"/> MONROE <input type="checkbox"/> BROWARD <input type="checkbox"/> PALM BEACH <input type="checkbox"/> MARTIN <input type="checkbox"/> ST. LUCIE <input type="checkbox"/> INDIAN RIVER <input type="checkbox"/> OKERCHOBBE HIGHLANDS</p>	<p>DEFENDANTS Air-Max Import & Export, Inc. d/b/a Air-Max and Lam Siu Fung</p> <p>County of Residence of First Listed Defendant <u>Miami-Dade</u> (IN U.S. PLAINTIFF CASES ONLY)</p> <p>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT LAND INVOLVED.</p> <p>Attorneys (If Known): <u>MAGISTRATE JUDGE TURNOFF</u> MCALTONAGA</p>
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<p>II. BASIS OF JURISDICTION (Place an "X" in One Box Only)</p> <p><input type="checkbox"/> 1 U.S. Government Plaintiff</p> <p><input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)</p> <p><input type="checkbox"/> 2 U.S. Government Defendant</p> <p><input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)</p>	<p>III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td></td> <td>PTF</td> <td>DEF</td> <td></td> <td>PTF</td> <td>DEF</td> </tr> <tr> <td>Citizen of This State</td> <td><input type="checkbox"/> 1</td> <td><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in This State</td> <td><input type="checkbox"/> 4</td> <td><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td><input type="checkbox"/> 2</td> <td><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td><input type="checkbox"/> 5</td> <td><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/> 3</td> <td><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td><input type="checkbox"/> 6</td> <td><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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IV. NATURE OF SUIT (Place an "X" in One Box Only)

<p>CONTRACT</p> <p><input type="checkbox"/> 110 Insurance</p> <p><input type="checkbox"/> 120 Marine</p> <p><input type="checkbox"/> 130 Miller Act</p> <p><input type="checkbox"/> 140 Negotiable Instrument</p> <p><input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment</p> <p><input type="checkbox"/> 151 Medicare Act</p> <p><input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)</p> <p><input type="checkbox"/> 153 Recovery of Overpayment of Veterans' Benefits</p> <p><input type="checkbox"/> 160 Stockholders' Suits</p> <p><input type="checkbox"/> 190 Other Contract</p> <p><input type="checkbox"/> 195 Contract Product Liability</p> <p><input type="checkbox"/> 196 Franchise</p>	<p>TORTS</p> <p>PERSONAL INJURY</p> <p><input type="checkbox"/> 310 Airplane</p> <p><input type="checkbox"/> 315 Airplane Product Liability</p> <p><input type="checkbox"/> 320 Assault, Libel & Slander</p> <p><input type="checkbox"/> 330 Federal Employers' Liability</p> <p><input type="checkbox"/> 340 Marine</p> <p><input type="checkbox"/> 345 Marine Product Liability</p> <p><input type="checkbox"/> 350 Motor Vehicle</p> <p><input type="checkbox"/> 355 Motor Vehicle Product Liability</p> <p><input type="checkbox"/> 360 Other Personal Injury</p> <p>PERSONAL INJURY - Med. Malpractice</p> <p><input type="checkbox"/> 362 Personal Injury - Med. Malpractice</p> <p><input type="checkbox"/> 365 Personal Injury - Product Liability</p> <p><input type="checkbox"/> 368 Asbestos Personal Injury Product Liability</p> <p>PERSONAL PROPERTY</p> <p><input type="checkbox"/> 370 Other Fraud</p> <p><input type="checkbox"/> 371 Truth in Lending</p> <p><input type="checkbox"/> 380 Other Personal Property Damage</p> <p><input type="checkbox"/> 385 Property Damage Product Liability</p>	<p>FORFEITURE/PENALTY</p> <p><input type="checkbox"/> 610 Agriculture</p> <p><input type="checkbox"/> 620 Other Food & Drug</p> <p><input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881</p> <p><input type="checkbox"/> 630 Liquor Laws</p> <p><input type="checkbox"/> 640 R.R. & Truck</p> <p><input type="checkbox"/> 650 Airline Regs.</p> <p><input type="checkbox"/> 660 Occupational Safety/Health</p> <p><input type="checkbox"/> 690 Other</p> <p>LABOR</p> <p><input type="checkbox"/> 710 Fair Labor Standards Act</p> <p><input type="checkbox"/> 720 Labor/Mgmt. Relations</p> <p><input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act</p> <p><input type="checkbox"/> 740 Railway Labor Act</p> <p><input type="checkbox"/> 790 Other Labor Litigation</p> <p><input type="checkbox"/> 791 Empl. Ret. Inc. Security Act</p>	<p>BANKRUPTCY</p> <p><input type="checkbox"/> 422 Appeal 28 USC 158</p> <p><input type="checkbox"/> 423 Withdrawal 28 USC 157</p> <p>PROPERTY RIGHTS</p> <p><input type="checkbox"/> 820 Copyrights</p> <p><input type="checkbox"/> 830 Patent</p> <p><input type="checkbox"/> 840 Trademark</p> <p>SOCIAL SECURITY</p> <p><input type="checkbox"/> 861 HIA (1395(f))</p> <p><input type="checkbox"/> 862 Black Lung (923)</p> <p><input type="checkbox"/> 863 DIWC/DIWW (405(g))</p> <p><input type="checkbox"/> 864 SSID Title XVI</p> <p><input type="checkbox"/> 865 RSI (405(g))</p> <p>FEDERAL TAX SUITS</p> <p><input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)</p> <p><input type="checkbox"/> 871 IRS—Third Party 26 USC 7609</p>	<p>OTHER STATUTES</p> <p><input type="checkbox"/> 400 Site Reapportionment</p> <p><input type="checkbox"/> 410 Antitrust</p> <p><input type="checkbox"/> 430 Banks and Banking</p> <p><input type="checkbox"/> 450 Commerce</p> <p><input type="checkbox"/> 460 Deportation</p> <p><input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations</p> <p><input type="checkbox"/> 480 Consumer Credit</p> <p><input type="checkbox"/> 490 Cable/Sat TV</p> <p><input type="checkbox"/> 810 Selective Service</p> <p><input type="checkbox"/> 850 Securities/Commodities/Exchange</p> <p><input type="checkbox"/> 875 Customer Challenge 12 USC 3410</p> <p><input type="checkbox"/> 890 Other Statutory Actions</p> <p><input type="checkbox"/> 891 Agricultural Acts</p> <p><input type="checkbox"/> 892 Economic Stabilization Act</p> <p><input type="checkbox"/> 893 Environmental Matters</p> <p><input type="checkbox"/> 894 Energy Allocation Act</p> <p><input type="checkbox"/> 895 Freedom of Information Act</p> <p><input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice</p> <p><input type="checkbox"/> 950 Constitutionality of State Statutes</p>
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V. ORIGIN (Place an "X" in One Box Only)

1 Original Proceeding 2 Removed from State Court 3 Re-filed (see VI below) 4 Reinstated or Reopened 5 Reinstated from S. District Court (MIAMI) 6 Multidistrict Litigation 7 Appeal to District Judge from Magistrate Judgment

VI. RELATED/RE-FILED CASE(S). (See instructions second page):

a) Re-filed Case YES NO b) Related Cases YES NO

JUDGE: _____ DOCKET NUMBER: _____

VII. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing and Write a Brief Statement of Cause (Do not cite jurisdictional statutes unless diversity):

Registration of judgment from another district, 28 U.S.C. § 1963

LENGTH OF TRIAL via _____ days estimated (for both sides to try entire case)

VIII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ _____

CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

ABOVE INFORMATION IS TRUE & CORRECT TO THE BEST OF MY KNOWLEDGE SIGNATURE OF ATTORNEY OF RECORD: _____ DATE: June 28, 2007

FOR OFFICE USE ONLY

AMOUNT: \$39.20 RECEIPT #: 962463 06/29/07