

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

LECAT’S VENTRILOSCOPE, LLC)	
)	
and)	
)	
DR. PAUL LECAT)	
)	
Plaintiffs,)	CIVIL NO: 2:12-cv-00283-NT
)	
V.)	
)	
UNIVERSITY OF NEW ENGLAND)	
)	
and)	
)	
RYAN ELING)	
)	
Defendants.)	

CONSENT DECREE

Plaintiffs Lecat’s VentriloSCOPE, LLC, and Dr. Paul Lecat (“Plaintiffs”) have brought this matter against Defendants University of New England and Ryan Eling (“Defendants”) alleging that their conduct in association with the production and dissemination of the “Fake-A-SCOPE Video” was infringement of, or inducement to infringe, United States Letters Patent Number 7,645,141 (the “Patent”). Defendants have denied the claim against them, and have asserted counterclaims seeking a declaratory judgment of Patent invalidity and non-infringement. Plaintiffs have sought a denial of Defendants’ counterclaims for declaratory judgment.

Notwithstanding their firm convictions as to the validity of their respective

positions, the parties have reached an amicable resolution to all claims at issue in this matter by way of private agreement and entry of this Consent Decree. The terms of the settlement agreement entered into by the parties are confidential, except as specifically set out therein, but include, at least, Defendants' acceptance of the validity of the Patent and an injunction against Defendants' future manufacture, use, sale, practice of or offers to sell the apparatuses and methods shown in the "Fake-A-Scope Video" and/or disclosed in the Patent. In consideration of the mutual covenants contained in the parties' settlement agreement, the parties have agreed to dismiss, with prejudice, the pending claims and counterclaims, without costs or attorney's fees assessed against either party, which stipulation is premised on the entry of this Consent Decree.

The Court, having reviewed the terms set forth herein and finding such terms to be in the best interests of the parties and the public, hereby ORDERS, ADJUDGES and DECREES as follows:

1. Defendants University of New England and Ryan Eling are hereby enjoined from the manufacture, use, sale, practice of or from offering to sell the apparatuses and methods shown in the "Fake-A-Scope Video" and/or disclosed in the Patent.
2. As the Parties herein, through their attorneys, and pursuant to Federal Rule of Civil Procedure 41(a)(ii) stipulate to the dismissal of the present action

with prejudice without costs or attorneys fees assessed against either party,
the action is dismissed with prejudice.

SO ORDERED.

Dated: March 20, 2013

/s/ Nancy Torresen
NANCY TORRESEN
UNITED STATES DISTRICT JUDGE