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15 **UNITED STATES DISTRICT COURT**
16 **DISTRICT OF NEVADA**

18 AEVOE CORP., a California corporation,
19 Plaintiff,
20 vs.
21 SHENZHEN MEMBRANE PRECISE
ELECTRON LTD., a China corporation,
22 Defendant.
23

Case No. 2:12-cv-00054-GMN-PAL

**SECOND AMENDED
TEMPORARY RESTRAINING
ORDER**

24
25 On January 12, 2012, the Court granted plaintiff Aevoe Corp.’s (“Aevoe”) Temporary
26 Restraining Order, Seizure and Impoundment Order, and an Order to Show Cause for a
27 Preliminary Injunction (“TRO”) against defendant Shenzhen Membrane Precise Electron Ltd.
28 (“Shenzhen Membrane”), which, among other things, temporarily restrained Shenzhen

1 Membrane and its agents from (1) practicing or otherwise using U.S. Patent No. 8,044,942
2 (“’942 Patent”), or any reproduction, counterfeit, copy, or colorable imitation of the same
3 (including the Membrane products) (collectively, the “Infringing Goods”), and (2) transferring
4 moving, returning, destroying, or otherwise disposing of any Infringing Goods except as
5 otherwise stated therein.

6 On January 23, 2012, the Court held the scheduled preliminary injunction hearing, and
7 having considered the arguments of counsel, together with the Complaint, Memorandum of
8 Law, Opposition and Reply Memorandum, along with the declarations and exhibits submitted
9 therewith, finds and concludes as follows:

10 1. The Court having previously found a basis for the TRO, and now taking into
11 consideration the arguments of counsel, hereby agrees to extend the existing TRO to allow the
12 Court to further consider its ultimate decision on issuance of a Preliminary Injunction.

13 2. Aevoe has previously shown in its motion for TRO that it:

14 a. Is likely to succeed in showing that Shenzhen Membrane has infringed
15 and is continuing to infringe the '942 Patent, and that Shenzhen Membrane has manufactured,
16 imported and offered for sale goods infringing upon the '942 Patent, specifically including,
17 without limitation, the "Membrane" and "Memshield" touch-screen protector products that are
18 characterized by a spacer on the perimeter of the protective screen sufficient to form an
19 enclosed air space between the transparent window of the protector and the touch-screen
20 portion of the device on which it is installed (collectively, "Infringing Goods"). This Amended
21 Temporary Restraining Order does not include Shenzhen Membrane products that do not fit
22 within the product description set forth in this paragraph.

23 b. The making, use, importation, offer for sale, and/or sale of the Infringing Goods
24 will result in immediate and irreparable injury to Aevoe in the form of loss of income, loss of
25 goodwill, dilution and lessening of the value of the '942 Patent, and interference with Aevoe's
26 ability to exploit its '942 Patent and exclude others from using its patent, if the requested
27 restraint is not ordered.

28 c. The harm to Aevoe in denying the requested restraint outweighs the harm to the
legitimate interests of Shenzhen Membrane from granting such an order.

d. It appears to the Court that Shenzhen Membrane is manufacturing, importing,
offering for sale, and/or selling Infringing Goods and will continue to carry out such acts unless
restrained by Order of the Court.


AMENDED TEMPORARY RESTRAINING ORDER

1
2 IT IS HEREBY ORDERED THAT, pending a decision by the Court on Aevoe’s
3 application for a preliminary injunction, Shenzhen Membrane, its agents, servants, employees,
4 confederates, attorneys, and any persons acting in concert or participation with them, or having
5 knowledge of this Order by personal service or otherwise be, and hereby are, immediately and
6 temporarily restrained from (1) practicing, making, using, importing, offering for sale and/or
7 selling the invention described in U.S. Patent No. 8,044,942, or any reproduction, counterfeit,
8 copy, or colorable imitation of the same, specifically including, without limitation, the
9 “Membrane” and “Memshield” products described in Paragraph 1, above, and (2) transferring,
10 moving, returning, destroying, or otherwise disposing of any Infringing Goods.

11 IT IS FURTHER ORDERED THAT, in light of the \$10,000.00 bond posted by Aevoe
12 on January 13, 2012, no additional security is required of Aevoe.

13 IT IS FURTHER ORDERED THAT this Amended Restraining Order shall remain in
14 effect until midnight on February 9, 2012.

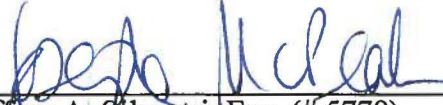
15 **IT IS SO ORDERED** this 24th day of January, 2012 at 9:30 a.m.

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19 Gloria M. Navarro
20 United States District Judge
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