

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 AEVOE CORP.,)
4)

Case No.: 2:12-cv-0054-GMN-RJJ

5 Plaintiff,)

ORDER

6 vs.)

7 SHENZHEN MEMBRANE PRECISE)
8 ELECTRON LTD.,)

9 Defendant.)
10)

11 Before the Court is Defendant Shenzhen Membrane Precise Electron, Ltd.’s Motion for
12 Relief from Order Granting Preliminary Injunction (ECF No. 35). Plaintiff Aevoe Corp. filed an
13 Opposition to the Motion (ECF No. 40) and Defendant filed a Reply (ECF No. 48).

14 Defendant petitions the Court to amend its Order to “accurately” reflect what was
15 discussed and decided at the Preliminary Injunction regarding which products in fact infringe on
16 Plaintiff’s patent. Defendant asks the Court to include express language to indicate that only
17 Defendant’s products that include a spacer are included in the Preliminary Injunction.

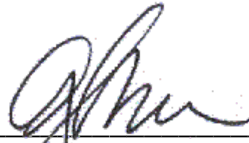
18 Fed. R. Civ. P. 60(a) provides that a Court may correct any mistake arising from an
19 oversight or omission in a judgment, order or other part of the record. A Rule 60(a) motion may
20 be invoked to “make a judgment [or order] reflect the actual intentions and necessary
21 implications of the court’s decision.” *Robi v. Five Platters, Inc.*, 918 F.2d 1439, 1445 (9th Cir.
22 1990).

23 The Court finds that the Preliminary Injunction Order should be clarified to indicate that
24 only products that include a spacer are included in the Order. An amended order will be entered
25 accordingly.

IT IS HEREBY ORDERED that Defendant Shenzhen Membrane Precise Electron,

1 Ltd.'s Motion for Relief from Order Granting Preliminary Injunction (ECF No. 35) is
2 **GRANTED in part.** The Court will amend the Order to clarify that the allegedly infringing
3 products include a spacer but will not use the language proposed by Shenzhen Membrane.

4 **DATED** this 1st day of May, 2012.

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8 Gloria M. Navarro
9 United States District Judge
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