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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

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HYPERTHERM, INC.,

Plaintiff,

vs.

PROFILE CUTTING TECHNOLOGIES LTD., *et al.*,

Defendants.

2:12-cv-01952-GMN-VCF

**DEFAULT FINAL JUDGMENT AND  
PERMANENT INJUNCTION ORDER**

This action having been commenced by Plaintiff Hypertherm, Inc. ("Hypertherm") against Defendants WestingCut Industrial Technology (Anhui) Inc., WestingCut Electric (Shanghai) Inc., and WestingCut Industrial Technology (Shanghai) Inc. (collectively, the "Defendants") for patent infringement pursuant to 35 U.S.C. § 271 for the reason that Defendants are making, selling, offering to sell, or using products infringing U.S. Patent Nos. 6,946,617; 8,115,136; 8,212,173; 7,829,816; and 6,207,923 (collectively, the "Hypertherm Asserted Patents"), which are owned and controlled by Hypertherm; and

Defendants having been properly served through personal delivery of the Summons in a Civil Action, Civil Cover Sheet and Complaint upon an authorized agent of Defendants; and

None of the Defendants having filed a response to the Complaint or otherwise appeared in this action; and

The Clerk of the Court having entered a default against each Defendant on May 16, 2013;

1 and

2 Hypertherm having moved for final default judgment under Fed. R. Civ. P. 55(b) and Hypertherm

3 having shown, inter alia, the following:

4 1. Hypertherm owns all rights, title and interest in and to the Hypertherm Asserted  
5 Patents; and

6 2. Defendants are making, selling, offering to sell, or using products infringing the  
7 Hypertherm Asserted Patents in the United States, including this Judicial District; and so the Court:

8 HEREBY FINDS that each Defendant is liable for patent infringement and this Default Final  
9 Judgment and Permanent Injunction Order is entered against each Defendant.

10 THEREFORE, IT IS HEREBY ORDERED that Defendants, their predecessors,  
11 successors, assigns, executors, administrators, and its past, present and future officers, directors,  
12 employees, parents, subsidiaries, divisions, affiliates, partners, attorneys, representatives,  
13 shareholders, trustees, agents, advisors and any persons in active concert or participation with  
14 them are permanently enjoined and restrained from:  
15

- 16 (i) making, selling, offering to sell, or using non-genuine  
17 versions of original Hypertherm parts that are covered  
18 by the Hypertherm Asserted Patents; and
- 19 (ii) selling or offering to sell such non-genuine versions  
20 of original Hypertherm parts that are covered by the  
21 Hypertherm Asserted Patents by any means, including  
22 at tradeshow and/or using online (internet) resources  
23 and services; or
- 24 (iii) using the "Made in U.S.A." designation on labels for  
25 non-genuine parts that correspond to original  
Hypertherm parts that are covered by the Hypertherm  
Asserted Patents.

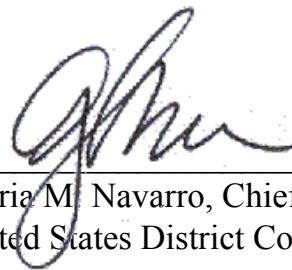
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, pursuant to 35 U.S.C.

1 § 285, Plaintiff is awarded reasonable attorney's fees, subject to plaintiff's timely compliance with  
2 Fed.R.Civ. P. 54(d) and Local Rules 54-16.

3 IT IS FINALL Y ORDERED that this Court shall retain jurisdiction over the parties and  
4 the subject matter of this litigation for the purposes of interpretation and enforcement of this  
5 Default Final Judgment and Permanent Injunction Order.

6 IT IS SO ORDERED.

7 **DATED** this 13th day of January, 2014.

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12 Gloria M. Navarro, Chief Judge  
13 United States District Court  
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